

1 Brian C. Rocca, Bar No. 221576
 2 brian.rocca@morganlewis.com
 3 Sujal J. Shah, Bar No. 215230
 4 sujal.shah@morganlewis.com
 5 Michelle Park Chiu, Bar No. 248421
 6 michelle.chiu@morganlewis.com
 7 Minna Lo Naranjo, Bar No. 259005
 8 minna.naranjo@morganlewis.com
 9 Rishi P. Satia, Bar No. 301958
 10 rishi.satia@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
 11 One Market, Spear Street Tower
 12 San Francisco, CA 94105-1596
 13 Telephone: (415) 442-1000
 14
 15 Richard S. Taffet, *pro hac vice*
 16 richard.taffet@morganlewis.com
MORGAN, LEWIS & BOCKIUS LLP
 17 101 Park Avenue
 18 New York, NY 10178-0060
 19 Telephone: (212) 309-6000
 20
 21 *Counsel for Defendants*

22 Glenn D. Pomerantz, Bar No. 112503
 23 glenn.pomerantz@mto.com
 24 Kuruvilla Olasa, Bar No. 281509
 25 kuruvilla.olasa@mto.com
MUNGER, TOLLES & OLSON LLP
 26 350 South Grand Avenue, Fiftieth Floor
 27 Los Angeles, California 90071
 28 Telephone: (213) 683-9100
 29
 30 Kyle W. Mach, Bar No. 282090
 31 kyle.mach@mto.com
 32 Justin P. Raphael, Bar No. 292380
 33 justin.raphael@mto.com
 34 Emily C. Curran-Huberty, Bar No. 293065
 35 emily.curran-huberty@mto.com
MUNGER, TOLLES & OLSON LLP
 36 560 Mission Street, Twenty Seventh Fl.
 37 San Francisco, California 94105
 38 Telephone: (415) 512-4000

39 Jonathan I. Kravis, *pro hac vice*
 40 jonathan.kravis@mto.com
MUNGER, TOLLES & OLSON LLP
 41 601 Massachusetts Ave. NW, Ste 500E
 42 Washington, D.C. 20001
 43 Telephone: (202) 220-1100

44
UNITED STATES DISTRICT COURT
 45
NORTHERN DISTRICT OF CALIFORNIA
 46
SAN FRANCISCO DIVISION

47
IN RE GOOGLE PLAY STORE
ANTITRUST LITIGATION

48 THIS DOCUMENT RELATES TO:

49 *Epic Games Inc. v. Google LLC et al.*, Case
 50 No. 3:20-cv-05671-JD

51 *In re Google Play Consumer Antitrust*
 52 *Litigation*, Case No. 3:20-cv-05761-JD

53 *State of Utah et al. v. Google LLC et al.*, Case
 54 No. 3:21-cv-05227-JD

55 *Match Group, LLC et al. v. Google LLC et al.*,
 56 Case No. 3:22-cv-02746-JD

57 Case No. 3:21-md-02981-JD

58
DECLARATION OF CHRISTIAN
CRAMER IN SUPPORT OF
ADMINISTRATIVE MOTION TO FILE
UNDER SEAL MATERIALS
SUBMITTED IN CONNECTION WITH
PLAINTIFFS' PROPOSED REMEDY RE
GOOGLE'S DESTRUCTION OF CHAT
EVIDENCE

59 Judge: Hon. James Donato

1 I, Christian Cramer, declare as follows:

2 1. I am currently a Finance Director for Defendant Google LLC (along with Google-
3 affiliated entities, “Google”). I have been employed by Google since September 2007 and have
4 held my current position since March 2017. Over the course of my employment at Google, I
5 have acquired personal knowledge of Google’s practices and procedures concerning the
6 maintenance of the confidentiality of its strategic, business, and marketing information.

7 2. I submit this declaration in support of the Administrative Motion to Seal Materials
8 Submitted in Connection With Plaintiffs’ Proposed Remedy Re Google’s Destruction of Chat
9 Evidence (“Motion”), filed on September 28, 2023 in *In re Google Play Store Antitrust*
10 *Litigation* (No. 21-md-02981-JD) (N.D. Cal) (“MDL”); *see also In re Google Play Consumer*
11 *Antitrust Litigation* (No. 3:20-cv-05761-JD) (N.D. Cal); *State of Utah, et al. v. Google LLC et*
12 *al.*, No. 3:21-cv-05227-JD (N.D. Cal.); *Match Group, LLC et al. v. Google LLC et al.*, No. 3:22-
13 cv-02746-JD (N.D. Cal.); *Epic Games, Inc. v. Google LLC et al.*, No. 3:20-cv-05671-JD (N.D.
14 Cal.).

15 3. The facts set forth in this declaration are true and correct to the best of my
16 knowledge, information, and belief, and are based on my personal knowledge of Google’s
17 policies and practices as they relate to the treatment of confidential information, the materials
18 that were provided to me and reviewed by me, and/or conversations with other knowledgeable
19 employees of Google. If called upon as a witness in this action, I could and would testify from
20 my personal knowledge and knowledge acquired from sources with factual foundation.

21 **The Material to Be Sealed Is Highly Confidential Because It Reflects Non-Public**
22 **Commercial Agreements and Contract Proposals, and Because It Reveals Google’s**
Competitive Decision-Making and Business Strategy

23 4. As demonstrated with factual particularity below, all the material for which
24 Google requests sealing is maintained as highly confidential. To the best of my knowledge, none
25 of this material has been publicly disclosed.

26 5. As a matter of routine practice and internal policy, Google and its employees
27 strictly treat as confidential, *inter alia*, (i) internal, non-public financial information; (ii) non-

1 public commercial proposals to third parties; (iii) non-public agreements with third parties; (iv)
2 internal surveys and analyses of customer preferences, spending, revenue, market conditions,
3 business strategy, competitive dynamics, and commercial opportunities; (v) non-public financial
4 forecasts and business plans; (vi) trade secrets; and (vii) other sensitive material that, if publicly
5 disclosed, could potentially enable Google's competitors to undermine Google's competitive
6 position in the marketplace, allow current or prospective business partners or counterparties to
7 take unfair advantage of Google in negotiations or other business affairs, violate Google's
8 confidentiality obligations to third parties, or otherwise prejudice Google's business interests. In
9 my experience and to the best of my knowledge, Google does not disclose internal documents,
10 data, or information of this nature outside of the company, except to authorized third parties
11 when so required or permitted by law or contract. To that end and in order to prevent inadvertent
12 revelation of this information to the public, Google has several policies in place like prohibiting
13 employees from accessing information beyond what is reasonably necessary to perform their
14 duties, limiting access to certain internal systems, permitting access to document databases on a
15 need-to-know basis, and requiring the use of an encrypted email system. I am also aware that,
16 generally, Google employees are required to sign a confidentiality agreement requiring each
17 employee to keep information confidential and shared only within the company.

18 6. Third parties—including Google's customers, suppliers, business partners, and
19 others who interact or transact with Google in an array of contexts—entrust highly sensitive,
20 non-public, and confidential information to Google every day. These third parties have an
21 expectation that Google can and will protect the confidentiality of that information. In many
22 cases, Google is contractually bound to keep that information confidential. In my experience and
23 to the best of my knowledge, Google does not disclose internal documents, data, or information
24 reflecting third parties' confidential information outside of the company, unless and only to the
25 extent it has been authorized (or is lawfully permitted or required) to do so. Rather, as noted
26 above, Google policies and protocols are designed to ensure the confidentiality of third-party
27 material is strictly maintained.

1 **There is Good Cause and Compelling Reasons to Seal Google's Highly Confidential**
2 **Material**

3 7. As demonstrated with factual particularity below, there is "good cause" to seal
4 Google's confidential materials. But even if Google were required to demonstrate "compelling
5 reasons" for sealing, the materials for which Google requests sealing would still satisfy that
6 standard. The public disclosure of Google's internal, confidential material (including material
7 that reflects third parties' confidential information) could, among other things, harm Google's
8 business and customer relationships, undermine Google's ability to retain and attract customers
9 and business partners who entrust Google with their confidential information, jeopardize
10 Google's ability to conduct business with current and prospective business partners, enable
11 Google's competitors to undermine Google's competitive position in the marketplace, allow
12 current or prospective business partners or counterparties to take unfair advantage of Google in
13 negotiations or other business affairs, or otherwise prejudice Google's and/or third parties'
14 business interests. These materials therefore derive economic value from not being generally
15 known to Google's competitors, counterparties, or the public. The release of this information to
16 the public will cause tangible commercial injury to Google and to those who provided their
17 confidential information to Google with the expectation that confidences would be maintained.

18 8. I understand that this Motion requests that the Court maintain the specific
19 information identified below under seal. For the reasons stated below, this information is
20 confidential and highly sensitive, and if publicly disclosed, could significantly prejudice
21 Google's competitive position by harming Google's relationship with business partners, putting
22 Google at unfair disadvantage in future business negotiations, and permitting Google's
23 competitors to gain unfair advantage in competition with Google.

24 **Specific Information to Be Sealed**

25 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence [Dkt 609-1]**
26 **(Exhibit A1)**

27 9. **Page 5, Lines 6-8 (between "to spend" and "in 2020 which would").** This text
28 reflects internal cost figures calculated or derived from Google's financial data which is non-

1 public information, and if revealed to competitors and potential business counterparties, could be
2 used to disadvantage Google. For example, if competitor platforms became aware of this
3 information they could use it to inform their own strategies, unfairly leveraging Google's
4 financial data to compete more effectively with Google Play.

5 **10. Page 6, Line 28, Page 7, Line 1 (between “are responsible for” and “of
6 Google Play’s approximately”; between “approximately” and “in annual revenue”).** This
7 text reflects revenue figures calculated or derived from Google's financial data which is non-
8 public information, and if revealed to competitors and potential business counterparties, could be
9 used to disadvantage Google. For example, if competitor platforms became aware of this
10 information they could use it to inform their own strategies, unfairly leveraging Google's
11 financial data to compete more effectively with Google Play.

12 **11. Page 7, Lines 23-28 (between “pay Samsung” and “over four years”; between
13 “would secure” and “for Google”).** This text contains confidential, non-public information
14 regarding Google's negotiations with a non-party OEM. Disclosure of this non-public
15 information is likely to result in competitive harm to Google, as it reveals strategic decision-
16 making which, for example, could give a competitor or potential business partner unfair leverage
17 in competing against or negotiating with Google. Moreover, Google's competitors could use this
18 non-party information to unfairly target Google's OEM partners and offer specific deal terms
19 designed to undercut those offered by Google.

20 **12. Page 8, Lines 1-11 (between “pay out between” and “over the four-[year]
21 term”; between “drive down to” and “the fees Google”).** This text contains confidential, non-
22 public information regarding Google's agreements with a non-party OEM. This information
23 further reflects and is calculated from internal, non-public Google financial data. Disclosure of
24 this non-public information is likely to result in competitive harm to Google, as it reveals
25 strategic decision-making which, for example, could give a competitor or potential business
26 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's
27
28

1 competitors could use this non-party information to unfairly target Google's OEM partners and
2 offer specific deal terms designed to undercut those offered by Google.

3 **13. Page 8, Lines 15-20 (between “millions, and then” and “to move Samsung’s”; between “as part of their current” and “RSA deals”).** This text contains confidential, non-
4 public information regarding Google’s agreements with a non-party OEM. This information
5 further reflects and is calculated from internal, non-public Google financial data. Disclosure of
6 this non-public information is likely to result in competitive harm to Google, as it reveals
7 strategic decision-making which, for example, could give a competitor or potential business
8 partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s
9 competitors could use this non-party information to unfairly target Google’s OEM partners and
10 offer specific deal terms designed to undercut those offered by Google.

12 **14. Page 9, Lines 8-15 (between “determined that over” and “of revenue was at”; between “developers at least” and “dollars to avoid”).** This information contains non-public
13 information regarding Google’s confidential non-public internal strategic considerations related
14 to creating value for and attracting developers to the Google Play Store. This information has
15 never been disclosed publicly. Disclosure of this information would adversely impact Google’s
16 current competitive position by enabling Google’s competitors to mimic its confidential
17 strategies in an effort to attract developers away from Google.

19 **15. Page 10, Line 13 (between “prepared to spend another” and “to stop ABK”).**
20 This information contains non-public information regarding Google’s confidential non-public
21 internal strategic considerations related to creating value for and attracting developers to the
22 Google Play Store. This information has never been disclosed publicly. Disclosure of this
23 information would adversely impact Google’s current competitive position by enabling Google’s
24 competitors to mimic its confidential strategies in an effort to attract developers away from
25 Google.

26 **16. Page 10, Line 18 (between “worth more than” and “(Moskowitz”).** The
27 disclosure of the developer’s highly confidential information would significantly harm

1 developer's business. For example, the developer's competitors could leverage this information
2 to reap an unearned competitive advantage. They could exploit this information—that they
3 otherwise would not have access to—to inform their own business strategies. To prevent these
4 competitive harms from coming to fruition, developer proactively maintains the confidentiality
5 of its strategic information, only disclosing it to a select group of individuals on an as-needed
6 basis.

7 **17. Page 10, Line 25 (between “paid Supercell ‘up to” and “(Id. at 179:10-13”).**

8 This information contains non-public information regarding Google's confidential non-public
9 internal strategic considerations related to creating value for and attracting developers to the
10 Google Play Store. This information has never been disclosed publicly. Disclosure of this
11 information would adversely impact Google's current competitive position by enabling Google's
12 competitors to mimic its confidential strategies in an effort to attract developers away from
13 Google.

14 **18. Page 13, Lines 25-28 (between “because of their” and “revenue share deal”;
15 between “Google pays Apple” and “under this agreement”; between “this agreement, and”
16 and end of sentence).** This text reflects the specific amount paid by Google to a major non-
17 party OEM in connection with a commercial agreement with that non-party OEM. This
18 information reflects and is calculated from internal, non-public Google financial data. Disclosure
19 of this non-public information is likely to result in competitive harm to Google, as it reveals
20 strategic decision-making which, for example, could give a competitor or potential business
21 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's
22 competitors could use this non-party information to unfairly target Google's OEM partners and
23 offer specific deal terms designed to undercut those offered by Google.

24 **19. Page 14, Line 2 (between “was somewhere between” and “in 2021”).** This
25 text reflects the amount paid by Google to a major non-party OEM in connection with a
26 commercial agreement with that non-party OEM. This information reflects and is calculated
27 from internal, non-public Google financial data. Disclosure of this non-public information is

1 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
2 example, could give a competitor or potential business partner unfair leverage in competing
3 against or negotiating with Google. Moreover, Google's competitors could use this non-party
4 information to unfairly target Google's OEM partners and offer specific deal terms designed to
5 undercut those offered by Google.

6 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 2**
7 **[Dkt 609-3]**
(Exhibit A2)

8 20. **Exhibit 2, page -220 (first bullet: between “to spend” and “to buy”, between**
9 **“to buy” and “exclusive”, between “to” and “per year”; second bullet: between “to offer”**
10 **and “revenue share”; third bullet: between “sufficient to drive” and “of Samsung”; fourth**
11 **bullet: between “challenging; is” and “annual benefit”; fifth bullet: between “margins of”**
12 **and “in long”, between “offset” and “net investment”.)** This text contains non-public and
13 confidential information regarding Google's agreements with non-party OEMs as well as
14 internal strategy relating to Google Play's payment policy. Disclosure of this non-public
15 information is likely to result in competitive harm to Google, as it reveals strategic decision-
16 making which, for example, could give a competitor or potential business partner unfair leverage
17 in competing against or negotiating with Google. Moreover, Google's competitors could use this
18 non-party information to unfairly target Google's partners and offer specific deal terms designed
19 to undercut those offered by Google.

20 21. **Exhibit 2, page -221 (the figures that begin the first five bullet points; the**
21 **second bullet point between “titles for” and “each title”; the figures that begin the five sub-**
22 **bullet points under the fifth bullet, “revenue upside from co-listing”; sixth bullet: between**
23 **“(2 year investment)” and “rev share”, between “rev share” and “exclusivity payment”;**
24 **seventh bullet: between “Phase 2 Profits:” and “revenue share”, between “revenue share”**
25 **and “cost”, between “store =” and “yr profit”).** This text contains non-public and confidential
26 information regarding Google's agreements with non-party OEMs as well as internal strategy
27 relating to Google Play's payment policy. Disclosure of this non-public information is likely to

1 result in competitive harm to Google, as it reveals strategic decision-making which, for example,
2 could give a competitor or potential business partner unfair leverage in competing against or
3 negotiating with Google. Moreover, Google's competitors could use this non-party information
4 to unfairly target Google's partners and offer specific deal terms designed to undercut those
5 offered by Google.

6 **22. Exhibit 2, page -228, Table (all figures in the column titled “Phase 1: 3
7 Exclusives”; all figures in the column titled “Phase 2: 50 co-listed games”).** This text
8 contains non-public and confidential information regarding Google's agreements with non-party
9 OEMs as well as internal strategy relating to Google Play's payment policy. Disclosure of this
10 non-public information is likely to result in competitive harm to Google, as it reveals strategic
11 decision-making which, for example, could give a competitor or potential business partner unfair
12 leverage in competing against or negotiating with Google. Moreover, Google's competitors
13 could use this non-party information to unfairly target Google's partners and offer specific deal
14 terms designed to undercut those offered by Google.

15 **23. Exhibit 2, page -232 (the chart, as well as all figures and charts in the tables).**
16 This information reflects and is calculated from internal, non-public Google financial data.
17 Google spends significant resources compiling and maintaining this valuable data, which is non-
18 public, and if revealed to competitors and potential business counterparties, could be used to
19 disadvantage and cause Google competitive harm by giving competitors insight into confidential
20 Google financial information. Further, this information reflects sensitive, highly confidential
21 characterizations by Google's internal business teams that, if revealed, could be referenced by
22 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

23 **24. Exhibit 2, page -233, (figure in title, prior to “of Play connected devices”;
24 entire graphic representation.)** This information reflects and is calculated from internal, non-
25 public Google financial data. Google spends significant resources compiling and maintaining this
26 valuable data, which is non-public, and if revealed to competitors and potential business
27 counterparties, could be used to disadvantage and cause Google competitive harm by giving

1 competitors insight into confidential Google financial information. Further, this information
2 reflects sensitive, highly confidential characterizations by Google's internal business teams that,
3 if revealed, could be referenced by potential counterparties in negotiations with Google to gain
4 an unfair advantage against Google.

5 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 3**
6 **[Dkt 609-4]**
(Exhibit A3)

7 25. **Exhibit 3, page -819 (entire page).** This text reflects confidential Google
8 financial information as well as non-public proposed terms with a potential non-party partner. If
9 publicly revealed, this information could cause Google competitive harm by giving other parties
10 insight into Google's business performance and a competitive advantage over Google in ongoing
11 or future business negotiations.

12 26. **Exhibit 3, Page -820 (entire boxes labeled “Cross-Google Service Packs +**
13 **Partner Pods,” “Samsung + Google Gaming Collaboration,” and “Accrue value back to**
14 **Google”).** This text reflects confidential, non-public proposed terms with a potential non-party
15 partner as well as Google's business strategy considerations. If publicly revealed, this
16 information could cause Google competitive harm by giving other parties insight into Google's
17 business strategy and a competitive advantage over Google in ongoing or future business
18 negotiations.

19 27. **Exhibit 3, page -822 (between “HVUS:” and “of buyers”; between “spend”**
20 **and “of app”; between “concentration of” and “reflect 2018”; entire top box).** This text
21 reflects confidential Google financial information, including consumer spending on Google
22 products and services. If publicly revealed, this information could cause Google competitive
23 harm by giving other parties insight into Google's business performance and a competitive
24 advantage over Google in ongoing or future business negotiations.

25 28. **Exhibit 3, page -824 (icons in column 1 and figures in column 2 in rows 2- 6;**
26 **text in footnote between “Projected” to “spend projection”).** This text reflects the identity
27 and confidential financial information for multiple non-party developers as well as non-public

1 Google financial information. If publicly revealed, this information could cause these non-parties
2 and Google competitive harm by giving other parties insight into both these developers' and
3 Google's business performance and a competitive advantage over Google in ongoing or future
4 business negotiations.

5 **29. Exhibit 3, page -825 (entire page).** This text reflects confidential Google
6 financial information. If publicly revealed, this information could cause Google competitive
7 harm by giving other parties insight into Google's business performance and a competitive
8 advantage over Google in ongoing or future business negotiations.

9 **30. Exhibit 3, page -827 (entire box under the slide title and icons).** This text
10 reflects confidential and recent business strategy considerations by Google. If publicly
11 revealed, this information could cause Google competitive harm by giving other parties insight
12 into Google's strategic considerations and thus a competitive advantage over Google in ongoing
13 or future business negotiations.

14 **31. Exhibit 3, page -828 (entire box under “1) Prioritize Play”; entire box under**
15 **the icons under “2) Boost x-PA Product Adoption”.** This text reflects confidential and recent
16 business strategy considerations by Google. If publicly revealed, this information could cause
17 Google competitive harm by giving other parties insight into Google's strategic considerations
18 and thus a competitive advantage over Google in ongoing or future business negotiations.

19 **32. Exhibit 3, page -829 (entirety of the four rows in the chart).** This text reflects
20 confidential and recent business strategy considerations by Google, including considered deal
21 terms. If publicly revealed, this information could cause Google competitive harm by giving
22 other parties insight into Google's strategic considerations and thus a competitive advantage over
23 Google in ongoing or future business negotiations.

24 **33. Exhibit 3, page -830 (the three boxes on the left side under “Target**
25 **Developers”).** This text reflects confidential and recent business strategy considerations by
26 Google, including the identities of possible third-party partners. If publicly revealed, this
27 information could cause Google competitive harm by giving other parties insight into Google's
28

1 strategic considerations and thus a competitive advantage over Google in ongoing or future
2 business negotiations.

3 **34. Exhibit 3, page -831 (the entire box under slide title and three headings; between “packs with” and “-->”).** This text reflects confidential and recent business strategy
4 considerations by Google, including the identity of a specific non-party developer and possible
5 Google partner. If publicly revealed, this information could cause both Google and the non-party
6 developer competitive harm by giving other parties insight into strategic considerations and
7 financial information of both Google and the developer.

8 **35. Exhibit 3, page -832 (entire box under slide title and three headings).** This text
9 reflects confidential and recent business strategy considerations by Google, including
10 non-public Google financial information. If publicly revealed, this information could cause
11 Google competitive harm by giving other parties insight into Google's strategic considerations
12 and thus a competitive advantage over Google in ongoing or future business negotiations.

13 **36. Exhibit 3, page -833 (entire box under slide title; between “2021 as” and “increases”).** This text reflects confidential and recent business strategy considerations by
14 Google, including non-public Google financial information. If publicly revealed, this information
15 could cause Google competitive harm by giving other parties insight into Google's strategic
16 considerations and thus a competitive advantage over Google in ongoing or future business
17 negotiations.

18 **37. Exhibit 3, page -835 (box in the bottom right corner at the end of the arrow beneath “Niantic”).** This text reflects non-public Google financial information. If publicly
19 revealed, this information could cause Google competitive harm by giving other parties insight
20 into Google's strategic considerations and thus a competitive advantage over Google in ongoing
21 or future business negotiations.

22 **38. Exhibit 3, page -836 (entire first row until the slide title; text from “are win-win” through the end of that sentence; entire 3 bullet points under “Marketing opportunities”; entire 2 bullet points under “Playpoints”).** This text reflects confidential and

1 recent business strategy considerations by Google, including proposed deal terms with a
2 possible non-party partner. If publicly revealed, this information could cause Google
3 competitive harm by giving other parties insight into Google's strategic considerations and thus
4 a competitive advantage over Google in ongoing or future business negotiations.

5 **39. Exhibit 3, page -838 (between “including” and “and 4 year”; entire chart
under the slide title).** This text reflects confidential and recent business strategy considerations
6 by Google, including proposed deal terms with a possible non-party partner as well as
7 confidential Google financial information. If publicly revealed, this information could cause
8 Google competitive harm by giving other parties insight into Google's strategic considerations
9 and thus a competitive advantage over Google in ongoing or future business negotiations.

10
11 **40. Exhibit 3, page -839 (entire right-hand column under “Mitigation”; entire 3
bullet points beneath the chart).** This text reflects confidential and recent business strategy
12 considerations by Google, including proposed deal terms with a possible non-party partner. If
13 publicly revealed, this information could cause Google competitive harm by giving other parties
14 insight into Google's strategic considerations and thus a competitive advantage over Google in
15 ongoing or future business negotiations.

16
17 **41. Exhibit 3, page -842 (entirety of the box; between “includes” and “and also
accounts”).** This text reflects confidential and recent business strategy considerations by
18 Google, including confidential Google financial information related to the impact of a
19 considered business proposal. If publicly revealed, this information could cause Google
20 competitive harm by giving other parties insight into Google's strategic considerations and thus
21 a competitive advantage over Google in ongoing or future business negotiations.

22
23 **42. Exhibit 3, page -843 (entirety of the box under the slide title).** This text
24 reflects confidential and recent business strategy considerations by Google, including
25 confidential Google financial information related to the impact of a considered business
26 proposal. If publicly revealed, this information could cause Google competitive harm by

1 giving other parties insight into Google's strategic considerations and thus a competitive
2 advantage over Google in ongoing or future business negotiations.

3 **43. Exhibit 3, page -844 (entirety of the box under the slide title; between “of top**
4 **developers” and “A couple of partial”).** This text reflects confidential and recent business
5 strategy considerations by Google, including confidential Google financial information related to
6 a considered business proposal. It also reflects the identities of two non-party developers. If
7 publicly revealed, this information could cause Google competitive harm by giving other parties
8 insight into Google's strategic considerations and thus a competitive advantage over Google in
9 ongoing or future business negotiations.

10 **44. Exhibit 3, page -845 (entirety of box under “Margin Impact (2019 - 2022)”).**
11 This text reflects non-public Google financial information related to a considered business
12 proposal. If publicly revealed, this information could cause Google competitive harm by giving
13 other parties insight into Google's strategic considerations and thus a competitive advantage over
14 Google in ongoing or future business negotiations.

15 **45. Exhibit 3, page -846 (entirety of box under “Margin Impact (2019 - 2022)”).**
16 This text reflects non-public Google financial information related to a considered business
17 proposal. If publicly revealed, this information could cause Google competitive harm by giving
18 other parties insight into Google's strategic considerations and thus a competitive advantage over
19 Google in ongoing or future business negotiations.

20 **46. Exhibit 3, page -847 (entirety of box under “Margin Impact (2019 - 2022)”).**
21 This text reflects non-public Google financial information related to a considered business
22 proposal. If publicly revealed, this information could cause Google competitive harm by giving
23 other parties insight into Google's strategic considerations and thus a competitive advantage over
24 Google in ongoing or future business negotiations.

25 **47. Exhibit 3, page -848 (text in title between “against” and “of margin”; entirety**
26 **of box under slide title; text below box between “includes” and “and also”).** This text reflects
27 non-public Google financial information related to a considered business proposal. If publicly

1 revealed, this information could cause Google competitive harm by giving other parties insight
2 into Google's strategic considerations and thus a competitive advantage over Google in ongoing
3 or future business negotiations.

4 **48. Exhibit 3, page -850 (entire box under slide title “Developer Value View”).**

5 This text reflects confidential financial information for multiple non-party developers, as well as
6 the projected impact of a considered Google business arrangement. If publicly revealed, this
7 information could cause both these non-party developers and Google competitive harm by giving
8 other parties insight into Google's strategic considerations and the developers' financial data.

9 **49. Exhibit 3, page -851 (entire box under slide title “Developer list”).** This text

10 reflects the identities of multiple non-party developers who were under consideration for a
11 possible Google business initiative. If publicly revealed, this information could cause both these
12 non-party developers and Google competitive harm by giving other parties insight into Google's
13 strategic considerations.

14 **50. Exhibit 3, page -852 (entire box next to “Developer Eligibility”; entire box**
15 **next to “Developer Obligations”).** This text reflects confidential and recent business strategy
16 considerations by Google, including considered terms of a possible business proposal. If publicly
17 revealed, this information could cause Google competitive harm by giving other parties insight
18 into Google's strategic considerations and thus a competitive advantage over Google in ongoing
19 or future business negotiations.

20 **51. Exhibit 3, page -853 (title text between “Hug Devs:” and “and”; between**
21 **“and” and “FTE”; and entire box below the title).** This text reflects confidential and recent
22 business strategy considerations by Google, including project descriptions, budgets, and Google
23 staffing arrangements for a possible business proposal. If publicly revealed, this information
24 could cause Google competitive harm by giving other parties insight into Google's strategic
25 considerations and thus a competitive advantage over Google in ongoing or future business
26 negotiations.

1 **52. Exhibit 3, page -854 (title text from the beginning of the title until “for Hug**
2 **devs”; from “for Hug devs” until the end of the title; and entire box below the title).** This
3 text reflects confidential and recent business strategy considerations by Google, including
4 financial terms, timing, and possible partners for a possible business proposal. If publicly
5 revealed, this information could cause Google competitive harm by giving other parties insight
6 into Google's strategic considerations and thus a competitive advantage over Google in ongoing
7 or future business negotiations.

8 **53. Exhibit 3, page -857 (subtitle text from “Project Play Spend =” until the**
9 **end of that sentence; entirety of box under the subtitle).** This text reflects non-public
10 Google financial information related to a considered business proposal. If publicly revealed,
11 this information could cause Google competitive harm by giving other parties insight into
12 Google's strategic considerations and thus a competitive advantage over Google in ongoing or
13 future business negotiations.

14 **54. Exhibit 3, page -859 (entire page).** This text reflects proposed terms for a
15 possible business arrangement with a non-party entity, including financial terms and other
16 strategic considerations for both parties. If publicly revealed, this information could cause
17 Google competitive harm by giving other parties insight into Google's strategic considerations
18 and thus a competitive advantage over Google in ongoing or future business negotiations.

19 **55. Exhibit 3, page -860 (entire page).** This text reflects proposed terms for a
20 possible business arrangement with a non-party entity, including financial terms and other
21 strategic considerations for both parties. If publicly revealed, this information could cause
22 Google competitive harm by giving other parties insight into Google's strategic considerations
23 and thus a competitive advantage over Google in ongoing or future business negotiations.

24 **56. Exhibit 3, page -861 (both bullet points in the first row to the right of the**
25 **row title “Product”; both bullet points in the second row to the right of the row title**
26 **“Financial”).** This text reflects proposed terms for a possible business arrangement with a
27 non-party entity, including financial terms and other strategic considerations for both parties.

1 If publicly revealed, this information could cause Google competitive harm by giving other
2 parties insight into Google's strategic considerations and thus a competitive advantage over
3 Google in ongoing or future business negotiations.

4 **57. Exhibit 3, page -862 (all 3 bullet points in the second row under**
5 **“Mitigation”; the text under “Play band dilution” and to the right of “Mitigation”; and**
6 **both bullet points under “Mitigation”).** This text reflects proposed terms for a possible
7 business arrangement with a non-party entity, including financial terms and other strategic
8 considerations. If publicly revealed, this information could cause Google competitive harm by
9 giving other parties insight into Google's strategic considerations and thus a competitive
10 advantage over Google in ongoing or future business negotiations.

11 **58. Exhibit 3, page -863 (under “Assumptions” the first bullet and its header;**
12 **the third bullet and its header; and the fourth bullet and its header).** This text reflects
13 non-public financial information for a non-party entity. If publicly revealed, this information
14 could cause that company competitive harm by giving other parties insight into its revenues
15 and other indicia of financial performance.

16 **59. Exhibit 3, page -864 (text in the subtitle between “Integrate Samsung with”**
17 **and “to help drive”; the entire chart including footnotes under “Proposal / Details /**
18 **Considerations”).** This text reflects proposed terms for a possible business arrangement with
19 Samsung, a non-party, including financial terms, geographic scope, duration, and other strategic
20 considerations. If publicly revealed, this information could cause Google competitive harm by
21 giving other parties insight into Google's strategic considerations and thus a competitive
22 advantage over Google in ongoing or future business negotiations.

23 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 5**
24 **[Dkt 609-6]**
25 **(Exhibit A4)**

26 **60. Exhibit 5, page -107.R (between “Ask: Spend” and “in 2023”; between**
27 **“Offer up to” and “Play rev”; between “to OEMs” and “to smaller OEMs”; between**
28 **“spending est” and “in 2020”; between “up to” and “(steady state)”; between “total of” and**

1 “for Xiaomi”; between “Xiaomi and” and “for carriers”). This text contains confidential,
2 non-public information regarding non-party business partners, and implicates the non-parties’
3 confidentiality interests by purporting to reveal the nonparties’ confidential statements made
4 during negotiations. Further, disclosure of this non-public information is likely to result in
5 competitive harm to Google, as it reveals strategic decision-making, which, for example, could
6 give a competitor or potential business partner unfair leverage in competing against or
7 negotiating with Google. Moreover, Google’s competitors could use this non-party information
8 to unfairly target Google’s partners. Further, this information reveals Google’s internal non-
9 public profit, revenue, and financial calculations. These data sets are not otherwise publicly
10 reported by the company and their disclosure is likely to cause Google competitive harm and
11 give its competitors an unfair advantage. Google’s competitors could improperly utilize this
12 internal, non-public data to modify or augment their business operations in an effort to compete
13 unfairly against Google. Moreover, visibility into the trends in the data (i.e., figures across
14 multiple years) gives Google’s competitors improper insight into the financial health and future
15 outlook of the Play business, which also arguably gives Google’s competitors an unfair
16 advantage. Further, the disclosure of mobile carrier and OEM’s highly confidential information
17 would significantly harm mobile carriers’ and OEMs’ business. For example, mobile carrier and
18 OEM competitors could leverage this information to reap an unearned competitive advantage.
19 They could exploit this information—that they otherwise would not have access to—to inform
20 their own business strategies. To prevent these competitive harms from coming to fruition,
21 mobile carrier and OEMs proactively maintains the confidentiality of its strategic information,
22 only disclosing it to a select group of individuals on an as-needed basis.

23 61. **Exhibit 5, page -108.R (both charts and associated text below the heading**
24 **that begins with “Scope”).** This information reveals Google’s internal non-public profit,
25 revenue, and financial calculations. These data sets are not otherwise publicly reported by the
26 company and their disclosure is likely to cause Google competitive harm and give its competitors
27 an unfair advantage. Google’s competitors could improperly utilize this internal, non-public data

1 to modify or augment their business operations in an effort to compete unfairly against Google.
2 Moreover, visibility into the trends in the data (i.e., figures across multiple years) gives Google's
3 competitors improper insight into the financial health and future outlook of the Play business,
4 which also arguably gives Google's competitors an unfair advantage.

5 **62. Exhibit 5, page -109.R (the figures in the columns with the headings
6 beginning with “2017A” and “2018A”).** This text contains confidential, non-public
7 information regarding Google's agreements with non-party business partners. Disclosure of this
8 non-public information is likely to result in competitive harm to Google, as it reveals strategic
9 decision-making which, for example, could give a competitor or potential business partner unfair
10 leverage in competing against or negotiating with Google. Moreover, Google's competitors
11 could use this non-party information to unfairly target Google's developer partners and offer
12 specific deal terms designed to undercut those offered by Google. This information reflects and
13 is calculated from internal, non-public Google financial data. Google spends significant
14 resources compiling and maintaining this valuable data, which is non-public, and if revealed to
15 competitors and potential business counterparties, could be used to disadvantage and cause
16 Google competitive harm by giving competitors insight into confidential Google financial
17 information. Further, this information reflects sensitive, highly confidential characterizations by
18 Google's internal business teams that, if revealed, could be referenced by potential counterparties
19 in negotiations with Google to gain an unfair advantage against Google. Further, the disclosure
20 of OEMs' highly confidential information would significantly harm OEMs' business. For
21 example, OEMs' competitors could leverage this information to reap an unearned competitive
22 advantage. They could exploit this information—that they otherwise would not have access to—
23 to inform their own business strategies. To prevent these competitive harms from coming to
24 fruition, OEMs proactively maintain the confidentiality of their strategic information, only
25 disclosing it to a select group of individuals on an as-needed basis.

26 **63. Exhibit 5, page -111.R (the dollar amounts located in the two gray boxes at
27 the bottom of the slide).** This text contains confidential, non-public information regarding non-
28

1 party business partner, and implicates the non-parties' confidentiality interests by purporting to
2 reveal the nonparties' confidential statements made during negotiations. Further, disclosure of
3 this non-public information is likely to result in competitive harm to Google, as it reveals
4 strategic decision-making, which, for example, could give a competitor or potential business
5 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's
6 competitors could use this non-party information to unfairly target Google's partners. Further,
7 this information reveals Google's internal non-public profit, revenue, and financial calculations.
8 These data sets are not otherwise publicly reported by the company and their disclosure is likely
9 to cause Google competitive harm and give its competitors an unfair advantage. Google's
10 competitors could improperly utilize this internal, non-public data to modify or augment their
11 business operations in an effort to compete unfairly against Google. Moreover, visibility into the
12 trends in the data (i.e., figures across multiple years) gives Google's competitors improper insight
13 into the financial health and future outlook of the Play business, which also arguably gives
14 Google's competitors an unfair advantage.

15 **64. Exhibit 5, page -112.R (the percentage figures underneath the headings
16 “Core Experience”, “Optimized Experience”, and “Google Forward”).** This text contains
17 confidential, non-public information regarding Google's agreements with non-party OEMs.
18 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
19 reveals strategic decision-making which, for example, could give a competitor or potential
20 business partner unfair leverage in competing against or negotiating with Google. Moreover,
21 Google's competitors could use this non-party information to unfairly target Google's partners
22 and offer specific deal terms designed to undercut those offered by Google.

23 **65. Exhibit 5, page -113.R (the percentage figures underneath the headings
24 “Core Experience”, “Optimized Experience”, and “Google Forward”; the percentage
25 figures between “carriers to spend” and “(ramp)”; between “Spend” and “of the
26 incremental”).** This text contains confidential, non-public information regarding Google's
27 agreements with non-party carriers. Disclosure of this non-public information is likely to result

1 in competitive harm to Google, as it reveals strategic decision-making which, for example, could
2 give a competitor or potential business partner unfair leverage in competing against or
3 negotiating with Google. Moreover, Google's competitors could use this non-party information
4 to unfairly target Google's partners and offer specific deal terms designed to undercut those
5 offered by Google.

6. **Exhibit 5, page -115.R (the specific dollar amounts on the slide).** This
7 information reveals Google's internal non-public profit, revenue, and financial calculations.
8 These data sets are not otherwise publicly reported by the company and their disclosure is likely
9 to cause Google competitive harm and give its competitors an unfair advantage. Google's
10 competitors could improperly utilize this internal, non-public data to modify or augment their
11 business operations in an effort to compete unfairly against Google. Moreover, visibility into the
12 trends in the data (i.e., figures across multiple years) gives Google's competitors improper insight
13 into the financial health and future outlook of the Play business, which also arguably gives
14 Google's competitors an unfair advantage. Further, the disclosure of OEMs' highly confidential
15 information would significantly harm OEMs' business. For example, OEMs' competitors could
16 leverage this information to reap an unearned competitive advantage. They could exploit this
17 information—that they otherwise would not have access to—to inform their own business
18 strategies. To prevent these competitive harms from coming to fruition, OEMs proactively
19 maintain the confidentiality of their strategic information, only disclosing it to a select group of
20 individuals on an as-needed basis.

67. **Exhibit 5, page -116.R (between "investing" and "per device", between "on
Android" and "in 2023"; the dollar amounts in the graphic figure; between "generated"
and "revenue"; between "GFD is" and "more expensive"; between "LG" and "savings";
the dollar amount preceding "in marketing").** This text contains confidential, non-public
information regarding Google's agreements with non-parties. Disclosure of this non-public
information is likely to result in competitive harm to Google, as it reveals strategic decision-
making which, for example, could give a competitor or potential business partner unfair leverage

1 in competing against or negotiating with Google. Moreover, Google's competitors could use this
2 non-party information to unfairly target Google's partners and offer specific deal terms designed
3 to undercut those offered by Google. Further, this information reflects and is calculated from
4 internal, non-public Google financial data. Google spends significant resources compiling and
5 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
6 business counterparties, could be used to disadvantage and cause Google competitive harm by
7 giving competitors insight into confidential Google financial information. Further, this
8 information reflects sensitive, highly confidential characterizations by Google's internal business
9 teams that, if revealed, could be referenced by potential counterparties in negotiations with
10 Google to gain an unfair advantage against Google. Further, the disclosure of OEMs' highly
11 confidential information would significantly harm OEMs' business. For example, OEMs'
12 competitors could leverage this information to reap an unearned competitive advantage. They
13 could exploit this information—that they otherwise would not have access to—to inform their
14 own business strategies. To prevent these competitive harms from coming to fruition, OEMs
15 proactively maintain the confidentiality of their strategic information, only disclosing it to a
16 select group of individuals on an as-needed basis.

17 **68. Exhibit 5, page -117.R (the bar chart underneath the heading “GDAF TAC**
18 **Payments by Tier”; the dollar amounts in the columns with the headings “2018”, “2019”,**
19 **“2020”, “2021”, “2022”, and “2023”; the dollar amounts to the right of the table at the**
20 **bottom of the slide).** This information reflects and is calculated from internal, non-public
21 Google financial data. Google spends significant resources compiling and maintaining this
22 valuable data, which is non-public, and if revealed to competitors and potential business
23 counterparties, could be used to disadvantage and cause Google competitive harm by giving
24 competitors insight into confidential Google financial information. Further, this information
25 reflects sensitive, highly confidential characterizations by Google's internal business teams that,
26 if revealed, could be referenced by potential counterparties in negotiations with Google to gain
27 an unfair advantage against Google.

1 69. **Exhibit 5, page -118.R (between “will reach” and “in 2023”; between “in**
2 **2023” and “from Play”; between “from Play” and “Search”; all dollar amounts in the**
3 **columns with the headings “2018A”; “2019E”; “2020F”; “2021F”; “2022F”; 2023F” and**
4 **“Two Year Term”; and between “reinvestment is” and “in each year”).** This information
5 reflects and is calculated from internal, non-public Google financial data. Google spends
6 significant resources compiling and maintaining this valuable data, which is non-public, and if
7 revealed to competitors and potential business counterparties, could be used to disadvantage and
8 cause Google competitive harm by giving competitors insight into confidential Google financial
9 information. Further, this information reflects sensitive, highly confidential characterizations by
10 Google's internal business teams that, if revealed, could be referenced by potential counterparties
11 in negotiations with Google to gain an unfair advantage against Google.

12 70. **Exhibit 5, page -121.R (between “will reach” and “in 2023”; dollar amounts**
13 **in the columns with the headings “2018A”, “2019E”, “2020F”, “2021F”, “2022F”, and**
14 **“2023F”; between “be between” and “GFWD”; between “enrollment of” and the end of the**
15 **sentence; between “bonus rates” and “for most”; between “OEMs and” and “for**
16 **Carriers”).** This information reflects and is calculated from internal, non-public Google
17 financial data. Google spends significant resources compiling and maintaining this valuable data,
18 which is non-public, and if revealed to competitors and potential business counterparties, could
19 be used to disadvantage and cause Google competitive harm by giving competitors insight into
20 confidential Google financial information. Further, this information reflects sensitive, highly
21 confidential characterizations by Google's internal business teams that, if revealed, could be
22 referenced by potential counterparties in negotiations with Google to gain an unfair advantage
23 against Google. Further, the disclosure of OEMs' highly confidential information would
24 significantly harm OEMs' business. For example, OEMs' competitors could leverage this
25 information to reap an unearned competitive advantage. They could exploit this information—
26 that they otherwise would not have access to—to inform their own business strategies. To
27 prevent these competitive harms from coming to fruition, OEMs proactively maintain the
28

1 confidentiality of their strategic information, only disclosing it to a select group of individuals on
2 an as-needed basis.

3 **71. Exhibit 5, page -122.R (between “to spend” and “to cover”; between “to**
4 **cover” and “in key”; the dollar amounts and graphics below the headings “Case 1”,**
5 **“[Recommendation] Case 2”, and “Case 3”).** This text contains confidential, non-public
6 information regarding Google’s agreements with non-party carriers. Disclosure of this non-
7 public information is likely to result in competitive harm to Google, as it reveals strategic
8 decision-making which, for example, could give a competitor or potential business partner unfair
9 leverage in competing against or negotiating with Google. Moreover, Google’s competitors
10 could use this non-party information to unfairly target Google’s carrier partners and offer specific
11 deal terms designed to undercut those offered by Google. This information reflects and is
12 calculated from internal, non-public Google financial data. Google spends significant resources
13 compiling and maintaining this valuable data, which is non-public, and if revealed to competitors
14 and potential business counterparties, could be used to disadvantage and cause Google
15 competitive harm by giving competitors insight into confidential Google financial information.
16 Further, this information reflects sensitive, highly confidential characterizations by Google’s
17 internal business teams that, if revealed, could be referenced by potential counterparties in
18 negotiations with Google to gain an unfair advantage against Google. Further, the disclosure of
19 OEMs’ highly confidential information would significantly harm OEMs’ business. For example,
20 OEMs’ competitors could leverage this information to reap an unearned competitive advantage.
21 They could exploit this information—that they otherwise would not have access to—to inform
22 their own business strategies. To prevent these competitive harms from coming to fruition,
23 OEMs proactively maintain the confidentiality of their strategic information, only disclosing it to
24 a select group of individuals on an as-needed basis.

25 **72. Exhibit 5, page -123.R (the dollar amounts in the columns with the headings**
26 **“2018A”, “2019E”, “2020F”, “2021F”, “2022F” and “2023F”).** This information reveals
27 Google’s internal non-public profit, revenue, and financial calculations. These data sets are not

1 otherwise publicly reported by the company and their disclosure is likely to cause Google
2 competitive harm and give its competitors an unfair advantage. Google's competitors could
3 improperly utilize this internal, non-public data to modify or augment their business operations
4 in an effort to compete unfairly against Google. Moreover, visibility into the trends in the data
5 (i.e., figures across multiple years) gives Google's competitors improper insight into the financial
6 health and future outlook of the Play business, which also arguably gives Google's competitors
7 an unfair advantage.

8 **73. Exhibit 5, page -124.R (the dollar amounts and percentage figures in the**
9 **rows with the headings “High Case”, “Expected Case”, and “Low Case”).** This text reflects
10 revenue, operating profit, and gross profit margin figures calculated or derived from Google's
11 financial data which is non-public information, and if revealed to competitors and potential
12 business counterparties, could be used to disadvantage Google. For example, if competitor
13 platforms became aware of this information they could use it to inform their own strategies,
14 unfairly leveraging Google's financial data to compete more effectively with Google Play.

15 **74. Exhibit 5, page -125.R (the dollar amounts under the headings “Low End**
16 **Risk”, “High End Risk”, and “Max At-Risk”).** This information reveals Google's internal
17 non-public profit, revenue, and financial calculations. These data sets are not otherwise publicly
18 reported by the company and their disclosure is likely to cause Google competitive harm and
19 give its competitors an unfair advantage. Google's competitors could improperly utilize this
20 internal, non-public data to modify or augment their business operations in an effort to compete
21 unfairly against Google. Moreover, visibility into the trends in the data (i.e., figures across
22 multiple years) gives Google's competitors improper insight into the financial health and future
23 outlook of the Play business, which also arguably gives Google's competitors an unfair
24 advantage.

25 **75. Exhibit 5, page -126.R (the dollar amounts in the columns with the headings**
26 **“2018A”, “2019E”, “2020F”, “2021F”, “2022F” and “2023F”; the percentage figure in the**
27 **bullet point followed by “of Play revenue”).** This information reflects and is calculated from

internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparts, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

76. **Exhibit 5, page -127.R (the dollar amounts in the columns with the headings “2018A”, “2019E”, “2020F”, “2021F”, “2022F” and “2023F”; the percentage figures in the row with the heading “Huawei Redistribution of Revenue”).** This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google. Further, this text contains confidential, non-public information regarding Google's agreements with non-party developers. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google's competitors could use this non-party information to unfairly target Google's developer partners and offer specific deal terms designed to undercut those offered by Google.

77. **Exhibit 5, page -128.R (under the heading “Underlying Assumptions”, the percentage figures and dollar amounts; under the heading "Status Quo", the percentage figures and dollar amounts; under the heading “GDAF Expected Case”).** This information reflects and is calculated from internal, non-public Google financial data. Google spends

1 significant resources compiling and maintaining this valuable data, which is non-public, and if
2 revealed to competitors and potential business counterparties, could be used to disadvantage and
3 cause Google competitive harm by giving competitors insight into confidential Google financial
4 information. Further, this information reflects sensitive, highly confidential characterizations by
5 Google's internal business teams that, if revealed, could be referenced by potential counterparties
6 in negotiations with Google to gain an unfair advantage against Google. Further, this text
7 contains confidential, non-public information regarding Google's agreements with non-party
8 developers. Disclosure of this non-public information is likely to result in competitive harm to
9 Google, as it reveals strategic decision-making which, for example, could give a competitor or
10 potential business partner unfair leverage in competing against or negotiating with Google.
11 Moreover, Google's competitors could use this non-party information to unfairly target Google's
12 developer partners and offer specific deal terms designed to undercut those offered by Google.

13 **78. Exhibit 5, page -129.R (between "Removal of" and "of forecasted"; between**
14 **"will have" and "RevShare"; between "Fly Mobile will" and the end of the sentence;**
15 **between "will have" and "RevShare").** This text contains confidential, non-public information
16 regarding Google's agreements with non-party device manufacturers. Disclosure of this non-
17 public information is likely to result in competitive harm to Google, as it reveals strategic
18 decision-making which, for example, could give a competitor or potential business partner unfair
19 leverage in competing against or negotiating with Google. Moreover, Google's competitors
20 could use this non-party information to unfairly target Google's carrier partners and offer specific
21 deal terms designed to undercut those offered by Google. This information contains non-public
22 and confidential data regarding carrier revenue share deals. This information has never been
23 disclosed publicly and the Google Play product team treats it as strictly confidential. If publicly
24 revealed, this information could influence the competitive decision-making and business
25 strategies employed by Google's app store competitors, for example by influencing how those
26 app stores market themselves to U.S. developers and how they distinguish themselves from
27 Google Play in the eyes of U.S. developers.

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1 **79. Exhibit 5, page -146.R (percentage figures in the rows titled “Consideration”**
2 **and “Uptake”).** This text contains confidential, non-public information regarding Google’s
3 agreements with non-party developers. Disclosure of this non-public information is likely to
4 result in competitive harm to Google, as it reveals strategic decision-making which, for example,
5 could give a competitor or potential business partner unfair leverage in competing against or
6 negotiating with Google. Moreover, Google’s competitors could use this non-party information
7 to unfairly target Google’s developer partners and offer specific deal terms designed to undercut
8 those offered by Google.

9 **80. Exhibit 5, page -153.R (dollar amounts and figures in the columns with the**
10 **headings “2018”, “Q4 ‘18 Annualized”).** This text contains confidential, non-public
11 information regarding Google’s agreements with non-party OEMs. Disclosure of this non-public
12 information is likely to result in competitive harm to Google, as it reveals strategic decision-
13 making which, for example, could give a competitor or potential business partner unfair leverage
14 in competing against or negotiating with Google. Moreover, Google’s competitors could use this
15 non-party information to unfairly target Google’s partners and offer specific deal terms designed
16 to undercut those offered by Google. Further, this information reflects and is calculated from
17 internal, non-public Google financial data. Google spends significant resources compiling and
18 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
19 business counterparties, could be used to disadvantage and cause Google competitive harm by
20 giving competitors insight into confidential Google financial information. Further, this
21 information reflects sensitive, highly confidential characterizations by Google’s internal business
22 teams that, if revealed, could be referenced by potential counterparties in negotiations with
23 Google to gain an unfair advantage against Google. Further, the disclosure of OEMs’ highly
24 confidential information would significantly harm OEMs’ business. For example, OEMs’
25 competitors could leverage this information to reap an unearned competitive advantage. They
26 could exploit this information—that they otherwise would not have access to—to inform their
27 own business strategies. To prevent these competitive harms from coming to fruition, OEMs

1 proactively maintain the confidentiality of their strategic information, only disclosing it to a
2 select group of individuals on an as-needed basis.

3 **81. Exhibit 5, page -157.R (between “to spend” and “to cover”; between “to**
4 **cover” and “in key”; dollar figures in the column titled “Hedged (“23F”); under the**
5 **heading “Details”, between “exposing” and “of annual”, between “contributing” and**
6 **“search rev”, between “browsers exposing” and “of Google”, between “putting” and “of**
7 **Play”).** This text contains confidential, non-public information regarding Google’s agreements
8 with non-parties. Disclosure of this non-public information is likely to result in competitive harm
9 to Google, as it reveals strategic decision-making which, for example, could give a competitor or
10 potential business partner unfair leverage in competing against or negotiating with Google.
11 Moreover, Google’s competitors could use this non-party information to unfairly target Google’s
12 partners and offer specific deal terms designed to undercut those offered by Google. Further, this
13 information reflects and is calculated from internal, non-public Google financial data. Google
14 spends significant resources compiling and maintaining this valuable data, which is non-public,
15 and if revealed to competitors and potential business counterparties, could be used to
16 disadvantage and cause Google competitive harm by giving competitors insight into confidential
17 Google financial information. Further, this information reflects sensitive, highly confidential
18 characterizations by Google’s internal business teams that, if revealed, could be referenced by
19 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

20 **82. Exhibit 5, page -158.R (between “propose investing”, and “in getting”;**
21 **between “in getting” and “devices”; between “GFD is” and “more”; between “LG” and**
22 **“savings”; “between “OEMs” and “savings per”; the figure that precedes “in marketing by**
23 **carriers; the figures that precede “revenue uplift”).** This text contains confidential, non-
24 public information regarding Google’s agreements with non-parties. Disclosure of this non-
25 public information is likely to result in competitive harm to Google, as it reveals strategic
26 decision-making which, for example, could give a competitor or potential business partner unfair
27 leverage in competing against or negotiating with Google. Moreover, Google’s competitors

1 could use this non-party information to unfairly target Google's partners and offer specific deal
2 terms designed to undercut those offered by Google. Further, this information reflects and is
3 calculated from internal, non-public Google financial data. Google spends significant resources
4 compiling and maintaining this valuable data, which is non-public, and if revealed to competitors
5 and potential business counterparties, could be used to disadvantage and cause Google
6 competitive harm by giving competitors insight into confidential Google financial information.
7 Further, this information reflects sensitive, highly confidential characterizations by Google's
8 internal business teams that, if revealed, could be referenced by potential counterparties in
9 negotiations with Google to gain an unfair advantage against Google. Further, the disclosure of
10 OEMs' highly confidential information would significantly harm OEMs' business. For example,
11 OEMs' competitors could leverage this information to reap an unearned competitive advantage.
12 They could exploit this information—that they otherwise would not have access to—to inform
13 their own business strategies. To prevent these competitive harms from coming to fruition,
14 OEMs proactively maintain the confidentiality of their strategic information, only disclosing it to
15 a select group of individuals on an as-needed basis.

16 **83. Exhibit 5, page -159.R (the dollar figures in the table).** This text contains
17 confidential, non-public information regarding Google's agreements with non-party device
18 manufacturers. Disclosure of this non-public information is likely to result in competitive harm
19 to Google, as it reveals strategic decision-making which, for example, could give a competitor or
20 potential business partner unfair leverage in competing against or negotiating with Google.
21 Moreover, Google's competitors could use this non-party information to unfairly target Google's
22 partners and offer specific deal terms designed to undercut those offered by Google. Further, this
23 information reflects and is calculated from internal, non-public Google financial data. Google
24 spends significant resources compiling and maintaining this valuable data, which is non-public,
25 and if revealed to competitors and potential business counterparties, could be used to
disadvantage and cause Google competitive harm by giving competitors insight into confidential
Google financial information. Further, this information reflects sensitive, highly confidential

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1 characterizations by Google's internal business teams that, if revealed, could be referenced by
2 potential counterparties in negotiations with Google to gain an unfair advantage against Google.
3 Further, the disclosure of OEMs' highly confidential information would significantly harm
4 OEMs' business. For example, OEMs' competitors could leverage this information to reap an
5 unearned competitive advantage. They could exploit this information—that they otherwise
6 would not have access to—to inform their own business strategies. To prevent these competitive
7 harms from coming to fruition, OEMs proactively maintain the confidentiality of their strategic
8 information, only disclosing it to a select group of individuals on an as-needed basis.

9 **84. Exhibit 5, page -160.R (the figures in the table).** This information contains
10 non-public and confidential data regarding device testing on Google Play. This information has
11 never been disclosed publicly and the Google Play product team treats it as strictly confidential.
12 If publicly revealed, this information could influence the competitive decision-making and
13 business strategies employed by Google's app store competitors, for example by influencing how
14 those app stores market themselves to U.S. developers and how they distinguish themselves from
15 Google Play in the eyes of U.S. developers. Further, the disclosure of OEMs' highly confidential
16 information would significantly harm OEMs' business. For example, OEMs' competitors could
17 leverage this information to reap an unearned competitive advantage. They could exploit this
18 information—that they otherwise would not have access to—to inform their own business
19 strategies. To prevent these competitive harms from coming to fruition, OEMs proactively
20 maintain the confidentiality of their strategic information, only disclosing it to a select group of
21 individuals on an as-needed basis.

22 **85. Exhibit 5, page -161.R (the graph and table underneath the heading "So how**
23 **do partner economics work?"").** This text contains confidential, non-public information
24 regarding Google's agreements with non-party device manufacturers. Disclosure of this non-
25 public information is likely to result in competitive harm to Google, as it reveals strategic
26 decision-making which, for example, could give a competitor or potential business partner unfair
27 leverage in competing against or negotiating with Google. Moreover, Google's competitors
28

1 could use this non-party information to unfairly target Google's partners and offer specific deal
2 terms designed to undercut those offered by Google. Further, this information reflects and is
3 calculated from internal, non-public Google financial data. Google spends significant resources
4 compiling and maintaining this valuable data, which is non-public, and if revealed to competitors
5 and potential business counterparties, could be used to disadvantage and cause Google
6 competitive harm by giving competitors insight into confidential Google financial information.
7 Further, this information reflects sensitive, highly confidential characterizations by Google's
8 internal business teams that, if revealed, could be referenced by potential counterparties in
9 negotiations with Google to gain an unfair advantage against Google. Further, the disclosure of
10 OEMs' highly confidential information would significantly harm OEMs' business. For example,
11 OEMs' competitors could leverage this information to reap an unearned competitive advantage.
12 They could exploit this information—that they otherwise would not have access to—to inform
13 their own business strategies. To prevent these competitive harms from coming to fruition,
14 OEMs proactively maintain the confidentiality of their strategic information, only disclosing it to
15 a select group of individuals on an as-needed basis.

16 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 6**
17 **[Dkt 609-7]**
(Exhibit A5)

18 86. **Exhibit 6, page -008 (between “adding up” and “enterprise value).** This text
19 contains confidential, non-public information regarding non-party developers, and implicates the
20 non-parties’ confidentiality interests by purporting to reveal the nonparties’ confidential
21 statements made during negotiations. Further, disclosure of this non-public information is likely
22 to result in competitive harm to Google, as it reveals strategic decision-making, which, for
23 example, could give a competitor or potential business partner unfair leverage in competing
24 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
25 information to unfairly target Google’s developer partners.

26 87. **Exhibit 6, page -009 (all text to the right of the heading “WHAT”, below**
27 **“Potential for a multi-year partnership with better terms at re-negotiation”, and to the left**

1 **of the icons).** This text contains confidential, non-public information regarding non-party
2 developers, and implicates the non-parties' confidentiality interests by purporting to reveal the
3 nonparties' confidential statements made during negotiations. Further, disclosure of this non-
4 public information is likely to result in competitive harm to Google, as it reveals strategic
5 decision-making, which, for example, could give a competitor or potential business partner
6 unfair leverage in competing against or negotiating with Google. Moreover, Google's
7 competitors could use this non-party information to unfairly target Google's developer partners.

8 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 8 [Dkt**
9 **609-9]**
(Exhibit A6)

10 88. **Exhibit 8, Bates -758.R (number above the leftmost column in the 2019**
11 **Global Mobile Revenues bar chart; percentage figure above “Android” in the leftmost**
12 **column of the 2019 Global Mobile Revenues bar chart; all numbers below “Android” in**
13 **the leftmost column of the 2019 Global Mobile Revenues bar chart; all numbers between**
14 **“Other Android” and “Samsung” in the rightmost column of the 2019 Global Mobile**
15 **Revenues bar chart; second bullet point between “Google is making” and “margin from**
16 **premium”; third bullet point between “is not reversed” and “of incremental”; fourth bullet**
17 **point between “to earn” and “in revenue”).** This information reveals Google's internal non-
18 public profit, revenue, and financial calculations. This information is not otherwise publicly
19 reported by the company and its disclosure is likely to cause Google competitive harm and give
20 its competitors an unfair advantage. Google's competitors could improperly utilize this internal,
21 non-public data to modify or augment their business operations in an effort to compete unfairly
22 against Google. Moreover, visibility into the trends in the data (i.e., figures across multiple
23 years) gives Google's competitors improper insight into the financial health and future outlook of
24 the Play business, which also arguably gives Google's competitors an unfair advantage.

25 89. **Exhibit 8, Bates -759.R (text in red box between “Google paid” and “in**
26 **search”; number between “DCB revshare =” and “Search”; number after “Search**
27 **revshare =”).** This information reveals Google's internal non-public financial calculations,

1 including specific dollar amounts and financial terms for particular commercial programs and
2 deals. This information is not otherwise publicly reported by the company and its disclosure is
3 likely to cause Google competitive harm and give its competitors an unfair advantage. Google's
4 competitors could improperly utilize this internal, non-public data to modify or augment their
5 business operations in an effort to compete unfairly against Google.

6 **90. Exhibit 8, Bates -760.R (percentage figure and dollar amount above bar**
7 **chart titled "Samsung TAC"; percentage figure and dollar amount above bar chart titled**
8 **"Samsung RSA Active Devices"; all numbers in bar chart titled "As-Is RSAv Projection**
9 **(2020-24)"; first bullet point in rightmost column between "search at" and "TAC"; number**
10 **between "ID revenues" and "in TAC"; numbers between "Samsung devices" and "January**
11 **was"; number between "January was" and "April was"; number between "April was" and**
12 **"down"; number between "down" and "update commitment").** This information reveals
13 Google's internal non-public financial calculations, including specific dollar amounts and
14 financial terms for particular commercial programs and deals. This information is not otherwise
15 publicly reported by the company and its disclosure is likely to cause Google competitive harm
16 and give its competitors an unfair advantage. Google's competitors could improperly utilize this
17 internal, non-public data to modify or augment their business operations in an effort to compete
18 unfairly against Google.

19 **91. Exhibit 8, Bates -761.R (all text contained in the four bullet points below**
20 **"Proposed New Deal (4 Year Term)"; number in box at the bottom of the slide before**
21 **"total deal size"; numbers between "renewed as is" and "based on market").** This text
22 contains confidential, non-public information regarding Google's agreements with non-party
23 OEMs. This information also reveals Google's internal non-public financial calculations,
24 including specific dollar value and financial terms for particular commercial programs and deals.
25 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
26 reveals strategic decision-making which, for example, could give a competitor or potential
27 business partner unfair leverage in competing against or negotiating with Google. Moreover,

1 Google's competitors could use this non-party information to unfairly target Google's OEM
2 partners and offer specific deal terms designed to undercut those offered by Google.

3 **92. Exhibit 8, Bates -762.R (number in the leftmost column between "devices on**
4 **Samsung ID" and "over 4 yrs"; number in the middle column between "Samsung devices"**
5 **and "over 4 yrs"; numbers in the rightmost column between "Japan, EEA" and "over 4**
6 **yrs"; number between "that justified the" and "TAC in the").** This text contains
7 confidential, non-public information regarding Google's agreements with non-party OEMs. This
8 information also reveals Google's internal non-public financial calculations regarding these
9 agreements, including calculations of the specific dollar value associated with particular aspects
10 of the deal and financial terms for particular commercial programs and deals. Disclosure of this
11 non-public information is likely to result in competitive harm to Google, as it reveals strategic
12 decision-making which, for example, could give a competitor or potential business partner unfair
13 leverage in competing against or negotiating with Google. Moreover, Google's competitors
14 could use this non-party information to unfairly target Google's OEM partners and offer specific
15 deal terms designed to undercut those offered by Google.

16 **93. Exhibit 8, Bates -763.R (number in the leftmost column between "devices on**
17 **Samsung ID" and "over 4 yrs"; number between "that justified the" and "TAC in the").**
18 This text contains confidential, non-public information regarding Google's agreements with non-
19 party OEMs. This information also reveals Google's internal non-public financial calculations
20 regarding these agreements, including calculations of the specific dollar value associated with
21 particular aspects of the deal and financial terms for particular commercial programs and deals.
22 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
23 reveals strategic decision-making which, for example, could give a competitor or potential
24 business partner unfair leverage in competing against or negotiating with Google. Moreover,
25 Google's competitors could use this non-party information to unfairly target Google's OEM
26 partners and offer specific deal terms designed to undercut those offered by Google.

94. Exhibit 8, Bates -764.R (all numbers in the column of the bar chart titled “Status Quo”; all numbers in the column of the bar chart titled “New Deal”; percentage figure above “across the board” in the table titled “Current deal effective TAC rates”; all percentage figures in the table titled “New deal baseline TAC rates”). This text contains confidential, non-public information regarding Google’s agreements with non-party OEMs. This information also reveals Google’s internal non-public financial calculations regarding these agreements, including calculations of the specific dollar value associated with particular aspects of the deal and financial terms for particular commercial programs and deals. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s OEM partners and offer specific deal terms designed to undercut those offered by Google.

95. **Exhibit 8, Bates -765.R (number in the leftmost column between “devices on Samsung ID” and “over 4 yrs”; number in the middle column between “Samsung devices” and “over 4 yrs”).** This text contains confidential, non-public information regarding Google’s agreements with non-party OEMs. This information also reveals Google’s internal non-public financial calculations regarding these agreements, including calculations of the specific dollar value associated with particular aspects of the deal. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s OEM partners and offer specific deal terms designed to undercut those offered by Google.

96. **Exhibit 8, Bates -766.R** (dollar amounts contained in the three blue boxes on the far right of the slide below the heading “Incentivize through a combination of three mechanisms”; percentage figure between “install-base TAC” and “additional TAC on

1 **installed"; dollar amount between "payments" and "/month"; percentage figure between**
2 **"revenue-share" and "on Chrome"; percentage figure between "as today)" and "revenue-**
3 **share"; percentage figure between "Play" and "profit share"; dollar amount between**
4 **"Total of" and "over 4 yrs").** This text contains confidential, non-public information regarding
5 Google's agreements with non-party OEMs. This information also reveals Google's internal
6 non-public financial calculations regarding these agreements, including calculations of the
7 specific dollar value associated with particular aspects of the deal. Disclosure of this non-public
8 information is likely to result in competitive harm to Google, as it reveals strategic decision-
9 making which, for example, could give a competitor or potential business partner unfair leverage
10 in competing against or negotiating with Google. Moreover, Google's competitors could use this
11 non-party information to unfairly target Google's OEM partners and offer specific deal terms
12 designed to undercut those offered by Google.

13 **97. Exhibit 8, Bates -767.R (number in the leftmost column between "devices on**
14 **Samsung ID" and "over 4 yrs"; number in the middle column between "Samsung devices"**
15 **and "over 4 yrs"; number between "add up to" and "over 4 years").** This text contains
16 confidential, non-public information regarding Google's agreements with non-party OEMs. This
17 information also reveals Google's internal non-public financial calculations regarding these
18 agreements, including calculations of the specific dollar value associated with particular aspects
19 of the deal. Disclosure of this non-public information is likely to result in competitive harm to
20 Google, as it reveals strategic decision-making which, for example, could give a competitor or
21 potential business partner unfair leverage in competing against or negotiating with Google.
22 Moreover, Google's competitors could use this non-party information to unfairly target Google's
23 OEM partners and offer specific deal terms designed to undercut those offered by Google.

24 **98. Exhibit 8, Bates -768.R (number between "designed with" and "incremental**
25 **margin"; number in the light blue box at the top left of the slide, between "Search deal**
26 **pays" and "to secure"; number in the light blue box at the top left of the slide, between "to**
27 **secure" and "of incremental"; all numbers in the leftmost column of the bar chart titled**

1 “Dist’bn Search Revenue during term”; number at the top of the column of the bar chart
2 titled “Payment to Samsung”; number at the top of the column of the bar chart titled
3 “Incremental Deal Margin to Google”; number in the dark blue box at the top middle of
4 the slide between “Services deal pays” and “to secure”; number in the dark blue box at the
5 top middle of the slide between “to secure” and “of Play risk”; all numbers in the column
6 of the bar chart titled “Services Revenue during term”; number at the top of the column of
7 the bar chart titled “Payment to Samsung”; number at the top of the column of the bar
8 chart titled “Incremental Deal Margin to Google”; number in the teal box at the top right
9 of the slide, after “Distribution component is”; all numbers in the column of the bar chart
10 titled “Incremental Value from Deal”; number at the top of the column of the bar chart
11 titled “Payment to Samsung”; all numbers in the column of the bar chart titled
12 “Incremental Deal Margin to Google”; numbers between “Ads, Messages” and
13 “incremental revenue”; numbers between “revenue), Discover” and “incremental”;
14 number before “(distribution search)”; number between “=” and “(widget)”; number
15 between “+” and “(voice)”; number between “+” and “(S-browser)”; number before
16 “grey”; number between “grey=” and “Play”; number between “+” and “from Chrome”;
17 number between “or savings” and “risk protections”; number between “for Play” and
18 “savings from”; number between “and then” and “uplift in value”). This text contains
19 confidential, non-public information regarding Google’s agreements with non-party OEMs. This
20 information also reveals Google’s internal non-public financial calculations regarding these
21 agreements, including calculations of the specific dollar value associated with particular aspects
22 of the deal. Disclosure of this non-public information is likely to result in competitive harm to
23 Google, as it reveals strategic decision-making which, for example, could give a competitor or
24 potential business partner unfair leverage in competing against or negotiating with Google.
25 Moreover, Google’s competitors could use this non-party information to unfairly target Google’s
26 OEM partners and offer specific deal terms designed to undercut those offered by Google.
27
28

1 99. **Exhibit 8, Bates -769 (number in the leftmost column between “devices on**
2 **Samsung ID” and “over 4 yrs”; number in the middle column between “Samsung devices”**
3 **and “over 4 yrs”; numbers in the rightmost column between “Japan, EEA” and “over 4**
4 **yrs”).** This text contains confidential, non-public information regarding Google’s agreements
5 with non-party OEMs. This information also reveals Google’s internal non-public financial
6 calculations regarding these agreements, including calculations of the specific dollar value
7 associated with particular aspects of the deal. Disclosure of this non-public information is likely
8 to result in competitive harm to Google, as it reveals strategic decision-making which, for
9 example, could give a competitor or potential business partner unfair leverage in competing
10 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
11 information to unfairly target Google’s OEM partners and offer specific deal terms designed to
12 undercut those offered by Google.

13 100. **Exhibit 8, Bates -770 (numbers between “stands to lose” and “in margin”;**
14 **numbers after “LTV impact:”; all numbers in the middle and rightmost columns of the bar**
15 **chart titled “Active Share”; all numbers in the middle and rightmost columns of the bar**
16 **chart titled “Google Revenue (2020- 24)”;** **all numbers in all columns of the bar chart titled**
17 **“Google Margin (2020-24)”.** This information reflects and is calculated from internal, non-
18 public Google financial data. Google spends significant resources compiling and maintaining this
19 valuable data, which is non-public, and if revealed to competitors and potential business
20 counterparties, could be used to disadvantage and cause Google competitive harm by giving
21 competitors insight into confidential Google financial information. Further, this information
22 reflects sensitive, highly confidential characterizations by Google’s internal business teams that,
23 if revealed, could be referenced by potential counterparties in negotiations with Google to gain
24 an unfair advantage against Google.

25 101. **Exhibit 8, Bates -772.R (numbers between “distribution” and “in**
26 **additional”; numbers in leftmost blue box, below the words “Signing Bonus”; text below**
27 **leftmost blue box, before the words “signing bonus”; numbers in the middle blue box,**

1 **below the words “Quality Incentive”; text below the middle blue box, before “per**
2 **qualifying device”; numbers in the rightmost blue box, below the words “Growth**
3 **Incentive”; text below rightmost blue box, before the words “per OS switcher”; numbers in**
4 **yellow box, below the words “Google Investment”; text below yellow box, before the words**
5 **“match of payments”; number between “marketing spend” and “in headcount”; numbers**
6 **between “GTM activities” and “only applies”; number between “Samsung+” and “to**
7 **cover”).** This text contains confidential, non-public information regarding Google’s agreements
8 with non-party OEMs, including specific financial calculations of the dollar value associated
9 with aspects of the deals. Disclosure of this non-public information is likely to result in
10 competitive harm to Google, as it reveals strategic decision-making which, for example, could
11 give a competitor or potential business partner unfair leverage in competing against or
12 negotiating with Google. Moreover, Google’s competitors could use this non-party information
13 to unfairly target Google’s OEM partners and offer specific deal terms designed to undercut
14 those offered by Google.

15 **102. Exhibit 8, Bates -773.R (all text in bullet points below the heading**
16 **“Distribution deals commitments, plus:”).** This text contains confidential, non-public
17 information regarding Google’s agreements with non-party OEMs, including specific financial
18 calculations of the dollar value associated with aspects of the deals. Disclosure of this non-public
19 information is likely to result in competitive harm to Google, as it reveals strategic decision-
20 making which, for example, could give a competitor or potential business partner unfair leverage
21 in competing against or negotiating with Google. Moreover, Google’s competitors could use this
22 non-party information to unfairly target Google’s OEM partners and offer specific deal terms
23 designed to undercut those offered by Google.

24 **103. Exhibit 8, Bates -774.R (percentage figure in blue box between “marketing”**
25 **and “of all”; percentage figure in dark gray box between “marketing” and “of Samsung”;**
26 **percentage figure in light gray box between “marketing” and “of Carrier”; number**
27 **between “people” and “over 4 yrs”).** This text contains confidential, non-public information

1 regarding Google's agreements with non-party OEMs, including specific financial calculations
2 of the dollar value associated with aspects of the deals. Disclosure of this non-public information
3 is likely to result in competitive harm to Google, as it reveals strategic decision-making which,
4 for example, could give a competitor or potential business partner unfair leverage in competing
5 against or negotiating with Google. Moreover, Google's competitors could use this non-party
6 information to unfairly target Google's OEM partners and offer specific deal terms designed to
7 undercut those offered by Google.

8 **104. Exhibit 8, Bates -777.R (number before the words “expected payout”;**
9 **number between “payout+” and “upside”; all numbers in the leftmost “Status Quo”**
10 **column of the bar chart titled “Deal Payments”; all numbers in the middle “Low Case”**
11 **column of the bar chart titled “Deal Payments”; all numbers in the rightmost “High Case”**
12 **column of the bar chart titled “Deal Payments”; number between the words “Low Case”**
13 **and “shipments @”; percentage figure between the words “shipments @” and “iOS”;**
14 **number between the words “High Case” and “shipments @”; percentage figure above the**
15 **words “across the board” in the table titled “Current deal effective TAC rates”; all**
16 **numbers in the table titled “New deal consideration”**). This text contains confidential, non-
17 public information regarding Google's agreements with non-party OEMs, including specific
18 financial calculations of the dollar value associated with aspects of the deals. Disclosure of this
19 non-public information is likely to result in competitive harm to Google, as it reveals strategic
20 decision-making which, for example, could give a competitor or potential business partner unfair
21 leverage in competing against or negotiating with Google. Moreover, Google's competitors
22 could use this non-party information to unfairly target Google's OEM partners and offer specific
23 deal terms designed to undercut those offered by Google.

24 **105. Exhibit 8, Bates -778.R (numbers in dark blue box between “investment**
25 **pays” and “to unlock”; numbers in dark blue box between “to unlock” and “incremental”;**
26 **all numbers in the bar chart, including all numbers contained within and located above**
27 **each of the three columns; percentage figure between “Conservative incremental” and**

1 “uplift”). This text contains confidential, non-public information regarding Google’s
2 agreements with non-party OEMs, including specific financial calculations of the dollar value
3 associated with aspects of the deals. Disclosure of this non-public information is likely to result
4 in competitive harm to Google, as it reveals strategic decision-making which, for example, could
5 give a competitor or potential business partner unfair leverage in competing against or
6 negotiating with Google. Moreover, Google’s competitors could use this non-party information
7 to unfairly target Google’s OEM partners and offer specific deal terms designed to undercut
8 those offered by Google.

9 106. **Exhibit 8, Bates -781.R (all percentage figures next to the dotted “High
10 Impact Case” lines in the graph; all percentage figures in the rightmost column of the bar
11 chart).** This information reflects and is calculated from internal, non-public Google financial
12 data. Google spends significant resources compiling and maintaining this valuable data, which is
13 non-public, and if revealed to competitors and potential business counterparties, could be used to
14 disadvantage and cause Google competitive harm by giving competitors insight into confidential
15 Google financial information. Further, this information reflects sensitive, highly confidential
16 characterizations by Google’s internal business teams that, if revealed, could be referenced by
17 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

18 107. **Exhibit 8, Bates -782.R (number between “G” and “(+ approx”; number
19 between “+ approx” and “LTV”).** This information reflects and is calculated from internal,
20 non-public Google financial data. Google spends significant resources compiling and
21 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
22 business counterparties, could be used to disadvantage and cause Google competitive harm by
23 giving competitors insight into confidential Google financial information. Further, this
24 information reflects sensitive, highly confidential characterizations by Google’s internal business
25 teams that, if revealed, could be referenced by potential counterparties in negotiations with
26 Google to gain an unfair advantage against Google.

1 108. **Exhibit 8, Bates -783.R (number between “may forego” and “in margin”;
2 number between “risk GM of” and “*includes”; number after “pre-covid at risk GM of”;
3 all numbers in the bottom 7 rows of the table).** This information reflects and is calculated
4 from internal, non-public Google financial data. Google spends significant resources compiling
5 and maintaining this valuable data, which is non-public, and if revealed to competitors and
6 potential business counterparties, could be used to disadvantage and cause Google competitive
7 harm by giving competitors insight into confidential Google financial information. Further, this
8 information reflects sensitive, highly confidential characterizations by Google's internal business
9 teams that, if revealed, could be referenced by potential counterparties in negotiations with
10 Google to gain an unfair advantage against Google.

11 109. **Exhibit 8, Bates -784.R (number between “may forego up to” and “in
12 margin”; number after “at risk GM of”; all numbers in the bottom 7 rows of the table;
13 percentage figures contained in the far right column of the bar chart titled “Total Installed
14 base”).** This information reflects and is calculated from internal, non-public Google financial
15 data. Google spends significant resources compiling and maintaining this valuable data, which is
16 non-public, and if revealed to competitors and potential business counterparties, could be used to
17 disadvantage and cause Google competitive harm by giving competitors insight into confidential
18 Google financial information. Further, this information reflects sensitive, highly confidential
19 characterizations by Google's internal business teams that, if revealed, could be referenced by
20 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

21 110. **Exhibit 8, Bates -785.R (numbers between “stands to lose” and “in margin”;
22 numbers between “LTV impact of” and “from Android”; numbers after “at risk GM of”;
23 number after “Low impact: GM loss of”; number after “High impact: GM loss of”;
24 number between “17p.p decline in total device share from 35% to” and “primarily”;
25 number between “GM loss of” and “from 2020”; number between “risk GM of” and
26 “LTV”).** This information reflects and is calculated from internal, non-public Google financial
27 data. Google spends significant resources compiling and maintaining this valuable data, which is

1 non-public, and if revealed to competitors and potential business counterparties, could be used to
2 disadvantage and cause Google competitive harm by giving competitors insight into confidential
3 Google financial information. Further, this information reflects sensitive, highly confidential
4 characterizations by Google's internal business teams that, if revealed, could be referenced by
5 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

6 **111. Exhibit 8, Bates -786.R (all numbers in the bottom row of the table, between**
7 **“G” and “Emerging HW ecosystem”).** This information reflects and is calculated from
8 internal, non-public Google financial data. Google spends significant resources compiling and
9 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
10 business counterparties, could be used to disadvantage and cause Google competitive harm by
11 giving competitors insight into confidential Google financial information. Further, this
12 information reflects sensitive, highly confidential characterizations by Google's internal business
13 teams that, if revealed, could be referenced by potential counterparties in negotiations with
14 Google to gain an unfair advantage against Google.

15 **112. Exhibit 8, Bates -791.R (all numbers in the table).** This information reflects
16 and is calculated from internal, non-public Google financial data. Google spends significant
17 resources compiling and maintaining this valuable data, which is non-public, and if revealed to
18 competitors and potential business counterparties, could be used to disadvantage and cause
19 Google competitive harm by giving competitors insight into confidential Google financial
20 information. Further, this information reflects sensitive, highly confidential characterizations by
21 Google's internal business teams that, if revealed, could be referenced by potential counterparties
22 in negotiations with Google to gain an unfair advantage against Google.

23 **113. Exhibit 8, Bates -792.R (number between “deal term” and “of distribution”;**
24 **number between “deal pays” and “on all devices”; all dollar amounts and percentage**
25 **figures in the charts and bar graphs; percentage figure between “DEAL 2 ADDS” and “ON**
26 **CHROME”; number after “(ROW) ADD’L”).** This text contains confidential, non-public
27 information regarding Google's agreements with non-party OEMs, including specific financial

1 calculations of the dollar value associated with aspects of the deals. Disclosure of this non-public
2 information is likely to result in competitive harm to Google, as it reveals strategic decision-
3 making which, for example, could give a competitor or potential business partner unfair leverage
4 in competing against or negotiating with Google. Moreover, Google's competitors could use this
5 non-party information to unfairly target Google's OEM partners and offer specific deal terms
6 designed to undercut those offered by Google.

7 **114. Exhibit 8, Bates -793.R (all numbers in the table).** This text contains
8 confidential, non-public information regarding Google's agreements with non-party OEMs,
9 including specific financial calculations of the dollar value associated with aspects of the deals.
10 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
11 reveals strategic decision-making which, for example, could give a competitor or potential
12 business partner unfair leverage in competing against or negotiating with Google. Moreover,
13 Google's competitors could use this non-party information to unfairly target Google's OEM
14 partners and offer specific deal terms designed to undercut those offered by Google.

15 **115. Exhibit 8, Bates -794.R (all dollar amounts in the table titled “Payment to**
16 **Samsung for Deal Term (4 Years); all dollar amounts in the table titled “Google**
17 **Marketing Spend for Deal Term (4 years); all dollar amounts in the table titled “Total**
18 **Google Spend for Deal Term (4 years); number between “Signing bonus” and**
19 **“(Samsung); number between “Base” and “per device”; numbers between “LTV and”**
20 **and “revenue uplift”; number between “Bonus” and “additional per”; number between**
21 **“based on” and “iPhone switcher”; number between “2021” and “initial Google”; number**
22 **between “Base” and “per device”; number between “Bonus” and “additional per”).** This
23 text contains confidential, non-public information regarding Google's agreements with non-party
24 OEMs, including specific financial calculations of the dollar value associated with aspects of the
25 deals. Disclosure of this non-public information is likely to result in competitive harm to Google,
26 as it reveals strategic decision-making which, for example, could give a competitor or potential
27 business partner unfair leverage in competing against or negotiating with Google. Moreover,

1 Google's competitors could use this non-party information to unfairly target Google's OEM
2 partners and offer specific deal terms designed to undercut those offered by Google.

3 **116. Exhibit 8, Bates -795.R (number between “to mitigate” and “of Play risk”; all**
4 **dollar amounts contained in the bar graph titled “4- Year Play Margin at Risk (\$Bs)”;**
5 **number between “BC (Apr'19):” and “margin at risk”; number between “Add'l” and**
6 **“unmitigated risk”; number between “risk by” and “17 devs”; number between “reduce**
7 **risk” and “Deal terms”; number between “Remaining risk of” and “90%”).** This
8 information reflects and is calculated from internal, non-public Google financial data. Google
9 spends significant resources compiling and maintaining this valuable data, which is non-public,
10 and if revealed to competitors and potential business counterparties, could be used to
11 disadvantage and cause Google competitive harm by giving competitors insight into confidential
12 Google financial information. Further, this information reflects sensitive, highly confidential
13 characterizations by Google's internal business teams that, if revealed, could be referenced by
14 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

15 **117. Exhibit 8, Bates -796.R (all dollar amounts listed in table titled “Total Google**
16 **Spend for Deal Term (4 years)”;** all dollar amounts listed in the table titled “Incrtl Value
17 **Unlocked for Deal Term (4 years)”;** all dollar amounts listed in the table titled “Net Deal
18 **Margin to Google for Deal Term (4 years)”;** percentage figure between “Conservative
19 **incremental” and “uplift”).** This information reflects and is calculated from internal, non-
20 public Google financial data. Google spends significant resources compiling and maintaining this
21 valuable data, which is non-public, and if revealed to competitors and potential business
22 counterparties, could be used to disadvantage and cause Google competitive harm by giving
23 competitors insight into confidential Google financial information. Further, this information
24 reflects sensitive, highly confidential characterizations by Google's internal business teams that,
25 if revealed, could be referenced by potential counterparties in negotiations with Google to gain
26 an unfair advantage against Google.

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118. **Exhibit 8, Bates -797.R (all dollar amounts and percentage figures in all four tables).** This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

119. **Exhibit 8. Bates -798.R (all dollar amounts contained within the bar chart).**
This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

120. Exhibit 8, Bates -799.R (number between “Additional” and “in the US”; number between “TAC from” and “new devices”; percentage figure between “freed-up funds to” and “of funds on bounties”; percentage figure between “cleaned up devices” and “to Google controlled”; all numbers contained within the columns of the bar chart; all numbers in the chart on the far right below the column heading “2 Yr est”; all numbers in the chart on the far right below the column heading “5 Yr est.”). This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by

1 Google's internal business teams that, if revealed, could be referenced by potential counterparties
2 in negotiations with Google to gain an unfair advantage against Google.

3 **121. Exhibit 8, Bates -802.R (all text below the column heading “2017 RSA deal”; all text below the column heading “2020 RSA deal”).** This text contains confidential, non-public information regarding Google's agreements with non-party OEMs. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google's competitors could use this non-party information to unfairly target Google's OEM partners and offer specific deal terms designed to undercut those offered by Google.

11 **122. Exhibit 8, Bates -803.R (number between “Current RSA” and “if extended”; number between “paying” and “TAC”; number between “Browser” and “from IB”; number between “IB +” and “from browser”; all text in bullet points below heading “Global deal”; number between “by device” and “Only available”; all text in bullet points below heading “Only available outside EEA & RU”).** This text contains confidential, non-public information regarding Google's agreements with non-party OEMs, including specific financial calculations of the dollar value associated with aspects of the deals. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google's competitors could use this non-party information to unfairly target Google's OEM partners and offer specific deal terms designed to undercut those offered by Google.

23 **123. Exhibit 8, Bates -804.R (percentage figure in blue box between “marketing” and “of RSA”; percentage figure in dark gray box between “marketing” and “of Samsung RSA”; percentage figure in light gray box between “marketing” and “of Carrier RSA”).**
24 This text contains confidential, non-public information regarding Google's agreements with non-party OEMs and other partners, including specific financial calculations regarding the percentage
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1 of funds allocated to specific programs or initiatives. Disclosure of this non-public information is
2 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
3 example, could give a competitor or potential business partner unfair leverage in competing
4 against or negotiating with Google. Moreover, Google's competitors could use this non-party
5 information to unfairly target Google's OEM/Carrier partners and offer specific deal terms
6 designed to undercut those offered by Google.

7 **124. Exhibit 8, Bates -805.R (percentage figure in blue box between “marketing”**
8 **and “of all RSA”; percentage figure in dark gray box between “marketing” and “of**
9 **Samsung RSA”; percentage figure in light gray box between “marketing” and “of Carrier**
10 **RSA”).** This text contains confidential, non-public information regarding Google's agreements
11 with non-party OEMs and other partners, including specific financial calculations regarding the
12 percentage of funds allocated to specific programs or initiatives. Disclosure of this non-public
13 information is likely to result in competitive harm to Google, as it reveals strategic decision-
14 making which, for example, could give a competitor or potential business partner unfair leverage
15 in competing against or negotiating with Google. Moreover, Google's competitors could use this
16 non-party information to unfairly target Google's OEM/Carrier partners and offer specific deal
17 terms designed to undercut those offered by Google.

18 **125. Exhibit 8, Bates -808.R (all text in bullet points below the heading “What we**
19 **get now”; number between “enrollment:” and “devices in RU”; number between “KR**
20 **and” and “in ROW”).** This text contains confidential, non-public information regarding
21 Google's agreements with non-party OEMs and other partners, as well as calculations regarding
22 the percentage of devices subject to the terms of those agreements. Disclosure of this non-public
23 information is likely to result in competitive harm to Google, as it reveals strategic decision-
24 making which, for example, could give a competitor or potential business partner unfair leverage
25 in competing against or negotiating with Google. Moreover, Google's competitors could use this
26 non-party information to unfairly target Google's OEM partners and offer specific deal terms
27 designed to undercut those offered by Google.

1 126. **Exhibit 8, Bates -809.R (all text in bullet points below the heading “What we**
2 **get now”).** This text contains confidential, non-public information regarding Google’s
3 agreements with non-party OEMs and other partners. Disclosure of this non-public information
4 is likely to result in competitive harm to Google, as it reveals strategic decision-making which,
5 for example, could give a competitor or potential business partner unfair leverage in competing
6 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
7 information to unfairly target Google’s OEM partners and offer specific deal terms designed to
8 undercut those offered by Google.

9 127. **Exhibit 8, Bates -810.R (number between “up to” and “in additional**
10 **incentives”; numbers in blue box below the words “Initial Setup & Quality Incentive”;**
11 **numbers in blue box below the words “Growth Incentive”; all text in the two bullet points**
12 **next to “Samsung provides:”; dollar amount between “Google payment to Samsung” and**
13 **“signing bonus”; dollar amount between “Google payment to Samsung” and “per \$400+”;**
14 **dollar amount before “per OS switcher”; number between “Google Marketing investment”**
15 **and “match”; dollar amount between “Google Marketing investment” and “in marketing**
16 **headcount”; number between “Samsung (and” and “match”; dollar amount between**
17 **“match” and “to cover”).** This text contains confidential, non-public information regarding
18 Google’s agreements with non-party OEMs, including calculations regarding the specific dollar
19 amounts allocated to various aspects of those deals. Disclosure of this non-public information is
20 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
21 example, could give a competitor or potential business partner unfair leverage in competing
22 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
23 information to unfairly target Google’s OEM partners and offer specific deal terms designed to
24 undercut those offered by Google.

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Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 10
[Dkt 609-11]
(Exhibit A7)

128. Exhibit 10, Bates -967 (between “been considered” and “Eugene Liderman, 2020-09-29 08:04:23”; between “08:08:07” and “should we continue”; between “off-play risk has” and “Dave Kleidermacher, 2020-09-29 08:09:35”; and between “with an MTD represent” and “of all AE devices”). This text contains non-public and confidential information regarding Google Play’s internal assessment of its strategic priorities and of app security. This information reflects sensitive, highly confidential characterizations by Google’s internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google. The information also reflects non-public and confidential information about the share of Android devices with malware. Disclosure of this information could be used by Google’s competitors to inform their business strategies in a way that causes competitive harm to Google.

129. Exhibit 10, Bates -968 (between “malware rates” and “could help sway”; and between “going to say that” and “Eugene Liderman”). This text contains non-public and confidential information regarding Google Play’s internal assessment of its strategic priorities and of app security. This information reflects sensitive, highly confidential characterizations by Google’s internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google. The information also reflects non-public and confidential information about the share of Android devices with malware. Disclosure of this information could be used by Google’s competitors to inform their business strategies in a way that causes competitive harm to Google.

Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 11
[Dkt 609-12]
(Exhibit A8)

130. Exhibit 11, Bates -897 (between "its objectives" and "Partnership sentiment"; between "program investment of" and "was"; between "was" and "less than what"; between "ASK 1" and "in additional investments"; between "new developers" and

“in xPA”; between “includes” and “in additional”). This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations regarding the specific dollar amounts allocated to various aspects of those deals. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s developer partners and offer specific deal terms designed to undercut those offered by Google.

131. Exhibit 11, Bates -900 (between “developers drove” and “of Alphabet’s”; between “developers” and “over GVP 2019”; all numbers on the vertical axis of the bar chart; all numbers in all columns of the bar chart; between “Play” and “of annual revenue”). This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

132. Exhibit 11, Bates -901 (numbers before “devs signed”; between “devs signed” and “sentiment improved”; between “incentives were” and “enabling GCP”; numbers between “Play Users” and “target devs”; between “target devs” and “of Play spend”; between “GVP 2019” and “on Play (247”; between “Sentiment” and “asked about service”; between “pre signing” and “Developers”; between “GVP 2019” and “developers are in”; between “Value” and “in incremental GCP”; between “including” and “new accounts”; between “cohort growing” and “faster”; all percentage figures between “GCP

1 **overall” and “revenue uplift”; between “ve ROI” and “uplift in developer”; between**
2 **“target list of” and “counts ABK”; between “separately by BC” and “new accounts”;**
3 **between “accounts include” and “GVP 2021”; all text after “Ads ROI by”**). This text
4 contains confidential, non-public information regarding Google’s agreements with non-party
5 developers, including financial calculations regarding the specific dollar amounts allocated to
6 various aspects of those deals and the revenue impact of those deals. Disclosure of this non-
7 public information is likely to result in competitive harm to Google, as it reveals strategic
8 decision-making which, for example, could give a competitor or potential business partner
9 unfair leverage in competing against or negotiating with Google. Moreover, Google’s
10 competitors could use this non-party information to unfairly target Google’s developer partners
11 and offer specific deal terms designed to undercut those offered by Google.

12 **133. Exhibit 11, Bates -902 (between “Invest” and “over two”; between “strategic**
13 **priorities” and “no changes/renewals”; between “value creation” and “Prioritize using**
14 **BAU”; between “BAU funds” and “Apply incentive”; between “RENEW selectively” and**
15 **end of sentence; between “NO RENEWALS for devs” and end of sentence; all developer**
16 **logos and names; numbers between “Only” and “GVP 2019 devs”; between “programs for**
17 **strategic priorities, eg” and end of sentence; between “GVP 2019 deal term” and “Only”;**
18 **between “Only” and “All other incentives”; between “All other incentives” and end of**
19 **sentence; all text between the URL below the slide and the end of the page**). This text
20 contains confidential, non-public information regarding Google’s agreements with non-party
21 developers. Disclosure of this non-public information is likely to result in competitive harm to
22 Google, as it reveals strategic decision-making which, for example, could give a competitor or
23 potential business partner unfair leverage in competing against or negotiating with Google.
24 Moreover, Google’s competitors could use this non-party information to unfairly target
25 Google’s developer partners and offer specific deal terms designed to undercut those offered by
26 Google.

1 134. **Exhibit 11, Bates -903 (between “consume only” and “in net investment”;
2 between “net investment vs.” and “expected”; all numbers in the table; between
3 “Commits unlocked” and “incremental revenue”; between “signing resulting in” and
4 “Play”; between “Play” and “but also”; between “achieved” and “than expected on
5 marketing”; between “Figures include” and “in refreshed”; between “investments” and
6 “net investment”; between “GVP partners was” and “for each of”; between “GVP 2019
7 investments” and “we’d like”; between “developers beyond” and “being”; between
8 “strategic priorities” and “GVP 2019”; between “originally include” and “This is a new”;
9 between “Dev Sentiment” and “prod integration”; between “HC costs” and “program
10 duration”; between “program duration” and “Deal start”; between “ends after” and
11 “Cloud value”).** This text contains confidential, non-public information regarding Google’s
12 agreements with non-party developers, including financial calculations regarding the specific
13 dollar amounts allocated to various aspects of those deals and the revenue impact of those deals.
14 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
15 reveals strategic decision-making which, for example, could give a competitor or potential
16 business partner unfair leverage in competing against or negotiating with Google. Moreover,
17 Google’s competitors could use this non-party information to unfairly target Google’s developer
18 partners and offer specific deal terms designed to undercut those offered by Google.

19 135. **Exhibit 11, Bates -905 (between “on Play has” and “since”; all numbers on
20 the vertical axis of the bar chart; all numbers in the columns of the bar chart ; all
21 numbers next to the arrows on the right of the bar chart; numbers in the key/legend of the
22 bar chart between “Devs w/” and “in”; between “of GVP, we ask” and end of sentence).**
23 This text contains confidential, non-public information regarding Google’s agreements with
24 non-party developers, as well as information calculated from Google’s confidential, highly
25 sensitive financial data. Disclosure of this non-public information is likely to result in
26 competitive harm to Google, as it reveals strategic decision-making which, for example, could
27 give a competitor or potential business partner unfair leverage in competing against or

1 negotiating with Google. Moreover, Google's competitors could use this non-party information
2 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
3 those offered by Google.

4 **136. Exhibit 11, Bates -906 (between “partnership with” and “of Play’s large”;
5 between “developers” and “of Play spend”; all developer names/logos, as well as
6 percentage figures, in the four boxes on the right half of the slide; between “2019 as they
7 lacked” and end of sentence; between “eligibility criteria” and “spend from”; between
8 “spend from” and “spend on Play”; between “Play OR” and “spend on Play”; between
9 “spend on Play” and “AND”; between “AND” and end of sentence).** This text contains
10 confidential, non-public information regarding Google's agreements with non-party developers,
11 including Google's strategic considerations regarding its selection and targeting of developer
12 partners. Disclosure of this non-public information is likely to result in competitive harm to
13 Google, as it reveals strategic decision-making which, for example, could give a competitor or
14 potential business partner unfair leverage in competing against or negotiating with Google.
15 Moreover, Google's competitors could use this non-party information to unfairly target
16 Google's developer partners and offer specific deal terms designed to undercut those offered by
17 Google.

18 **137. Exhibit 11, Bates -907 (between “devs selected based on” and “Ads”; between
19 “Ads - based on” and “Play”; between “Play offers” and “unlocked”; between “unlocked
20 by” and “Marketing”; between “Play” and “Strategic Product”; between “Product
21 commits” and “integration”; between “Game quality” and “to ensure”; between “scale
22 products through” and “Automate”; between “manual efforts” and “Term”; between
23 “Term” and “for all offers”; between “offers except” and “renewal based”; between
24 “based on” and “Consults”; between “Drop” and “Add”; between “Add” and end of
25 sentence; between “aspects such as” and “continue to”; between “mandate” and “in
26 GVP”).** This text contains confidential, non-public information regarding Google's agreements
27 with non-party developers, including Google's strategic considerations regarding its selection

1 and targeting of developer partners. Disclosure of this non-public information is likely to result
2 in competitive harm to Google, as it reveals strategic decision-making which, for example,
3 could give a competitor or potential business partner unfair leverage in competing against or
4 negotiating with Google. Moreover, Google's competitors could use this non-party information
5 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
6 those offered by Google.

7 **138. Exhibit 11, Bates -908 (all dollar amounts in table; between “Cloud” and**
8 **“down from”; between “down from” and “of Play”; between “UAC credits” and “down**
9 **from”; between “down from” and “of Ad”; between “Play:” and “Marketing”; between**
10 **“Marketing” and “in the base”; between “with performance for” and “Direct”; between**
11 **“costs include” and “in GVP incentives”; between “Cloud” and “Ads”; between “Ads”**
12 **and “Play marketing”; between “GPP” and “GVP incentives”; between “Play spend” and**
13 **“down from”; between “down from” and “NOTE”; between “Dev Sentiment” and**
14 **“strategic product”; between “HC costs” and “program duration”; between “mostly” and**
15 **“No extension”; between “Base” and “GCP TAM”; between “GCP TAM” and**
16 **“utilization”; between “utilization” and “Ad uplift”; between “Ad uplift” and “base”;**
17 **between “Low” and “GCP TAM”; between “GCP TAM” and “utilization”; between**
18 **“utilization” and “Ad uplift”; between “Ad uplift” and “base”; between “High” and**
19 **“GCP TAM”; between “GCP TAM” and “utilization”; between “utilization” and “Ad**
20 **uplift”; between “Ad uplift” and “base”). This text contains confidential, non-public**
21 **information regarding Google’s agreements with non-party developers, including financial**
22 **calculations regarding the specific dollar amounts allocated to various aspects of those deals and**
23 **the margin impact of those deals. Disclosure of this non-public information is likely to result in**
24 **competitive harm to Google, as it reveals strategic decision-making which, for example, could**
25 **give a competitor or potential business partner unfair leverage in competing against or**
26 **negotiating with Google. Moreover, Google’s competitors could use this non-party information**

1 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
2 those offered by Google.

3 **139. Exhibit 11, Bates -911 (between "within" and "range approved"; all**
4 **developer names except "Riot" and "ABK" in the table; all numbers in the table; between**
5 **"BC approved" and "value range"; between "Includes" and "who is currently**
6 **negotiating"; between "a commit" and "underperformed on Play").** This text contains
7 confidential, non-public information regarding Google's agreements with non-party developers,
8 including financial calculations regarding the specific dollar amounts allocated to various
9 aspects of those deals and the margin impact of those deals. Disclosure of this non-public
10 information is likely to result in competitive harm to Google, as it reveals strategic decision-
11 making which, for example, could give a competitor or potential business partner unfair
12 leverage in competing against or negotiating with Google. Moreover, Google's competitors
13 could use this non-party information to unfairly target Google's developer partners and offer
14 specific deal terms designed to undercut those offered by Google.

15 **140. Exhibit 11, Bates -912 (all numbers in the table; between "Cloud" and "down**
16 **from"; between "down from" and "of Play"; between "UAC credits" and "down from";**
17 **between "down from" and "of Ad"; between "Play:" and "Marketing"; between**
18 **"Marketing" and "in the base"; between "with performance for" and "NOTE"; between**
19 **"expected to" and "for each of"; between "transfers will be" and "but the overall";**
20 **between "still be" and "Regarding GVP"; between "credits were at" and "of Play spend";**
21 **between "spend except for" and "Ads credits"; between "were at" and "of ads spend";**
22 **between "except for" and "High case"; between "High case" and "contribution margin";**
23 **between "GCP opportunity" and "of TAM"; between "TAM) and" and "utilization";**
24 **between "Ads" and "revenue uplift"; between "Dev Sentiment" and "strategic product";**
25 **between "HC costs" and "program duration"; between "mostly" and "No extension";**
26 **between "Base" and "GCP TAM"; between "GCP TAM" and "utilization"; between**
27 **"utilization" and "Ad uplift"; between "Ad uplift" and "base"; between "Low" and "GCP**

1 **TAM”; between “GCP TAM” and “utilization”; between “utilization” and “Ad uplift”; between “Ad uplift” and “base”; between “High” and “GCP TAM”; between “GCP TAM” and “utilization”; between “utilization” and “Ad uplift”; between “Ad uplift” and “stretch”).** This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations regarding the specific dollar amounts allocated to various aspects of those deals and the margin impact of those deals. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s developer partners and offer specific deal terms designed to undercut those offered by Google.

12 **141. Exhibit 11, Bates -913 (between “Refreshes” and “Google Contribution”; all dollar amounts in table; between “Note: the” and “play revenue allocation”; between “margin outlook” and “for Play”; between “for Play” and “for Cloud”; between “for Cloud” and “for Ads”; between “for Ads” and “for YT”; between “Figures include” and “in refreshed”; between “Marketing” and “(Gross)”; between “(Gross)” and “(Net)”; between “esports” and “(Gross)”; between “Loyalty” and “devs”; between “devs” and “(Gross)”; between “(Gross)” and “(Net)”; between “Ads” and “devs”; between “devs” and “(Gross)”; between “(Gross)” and “(Net)”; between “expected to be” and “NOTE”; between “partners was” and “for each of”).** This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations regarding the specific dollar amounts allocated to various aspects of those deals and the margin impact of those deals. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information

1 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
2 those offered by Google.

3 **142. Exhibit 11, Bates -915 (text in the box below the heading “GVP Commercial**
4 **Tactics” between “Ads Spend (AIP)” and “NEW”; all text in the light blue box to the right**
5 **of the heading “Growth Package”; between “to hitting” and “thresholds”; all text in the**
6 **light blue box at the bottom of the slide, to the right of the heading “Consulting Package”).**

7 This text contains confidential, non-public information regarding Google's agreements with
8 non-party developers. Disclosure of this non-public information is likely to result in
9 competitive harm to Google, as it reveals strategic decision-making which, for example, could
10 give a competitor or potential business partner unfair leverage in competing against or
11 negotiating with Google. Moreover, Google's competitors could use this non-party information
12 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
13 those offered by Google.

14 **143. Exhibit 11, Bates -917 (between “GCP Credits” and “of developer’s”;**
15 **between “issued every” and “months”; between “key title moments via” and “Ads**
16 **credits”; between “credits from” and “of developer spend”; between “spend to” and end**
17 **of sentence; all text in the four bullet points next to the heading “Community**
18 **Development”; between “Increased participation” and “from top partners”).** This text
19 contains confidential, non-public information regarding Google's agreements with non-party
20 developers. Disclosure of this non-public information is likely to result in competitive harm to
21 Google, as it reveals strategic decision-making which, for example, could give a competitor or
22 potential business partner unfair leverage in competing against or negotiating with Google.
23 Moreover, Google's competitors could use this non-party information to unfairly target
24 Google's developer partners and offer specific deal terms designed to undercut those offered by
25 Google.

26 **144. Exhibit 11, Bates -918 (all text in the four bullet points below the heading**
27 **“Build & Test”; all text in the five bullet points below the heading “Launch & Grow”; text**

1 below the heading “User Acquisition” between “Ads credits” and end of sentence; all text
2 in the four bullet points below the heading “Community Development”; all text in the two
3 bullet points below the heading “Prioritize Play Users”; between “strategic priorities” and
4 “Maintain”). This text contains confidential, non-public information regarding Google’s
5 agreements with non-party developers. Disclosure of this non-public information is likely to
6 result in competitive harm to Google, as it reveals strategic decision-making which, for
7 example, could give a competitor or potential business partner unfair leverage in competing
8 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
9 information to unfairly target Google’s developer partners and offer specific deal terms designed
10 to undercut those offered by Google.

11 145. **Exhibit 11, Bates -919 (text in column titled “GVP 2019” between**
12 **“PC/Console Devs” and “Play Devs”; text in column titled “GVP 2019” between “Play**
13 **Devs” and “Commercial:”; percentage figure in column titled “GVP 2019” between “Ads**
14 **credits” and “of eligible”; text in column titled “GVP 2019” between “UAC spend” and**
15 **“GCP credits”; percentage figure in column titled “GVP 2019” between “GCP credits”**
16 **and “of Play Consumer”; text in column titled “GVP 2019” between “Consumer Spend”**
17 **and “Comarketing”; text in column titled “GVP 2019” between “Comarketing” and**
18 **“YouTube Presence”; text in column titled “GVP 2019” between “Grants” and “esports”;**
19 **text in column titled “GVP 2019” between “sponsorships” and “Consultative”; text in**
20 **column titled “GVP 2019” between “Consultative” and “of respective Play”; text in**
21 **column titled “GVP 2019” between “Consumer spend” and “for GCP credits”; text in**
22 **column titled “GVP 2019” between “for GCP credits” and “for all else”; text in column**
23 **titled “GVP 2019” between “for all else” and “to extend”; text in column titled “GVP**
24 **2019” between “to extend” and “for select devs”; text in column titled “GVP 2019”**
25 **between “for select devs” and bottom of column; text in column titled “GVP 2021”**
26 **between “PC/Console Devs” and “Play Devs”; text in column titled “GVP 2021” between**
27 **“Play Devs” and “Commercial:” text in column titled “GVP 2021” between “Ads credits”**

1 and “of UAC spend”; text in column titled “GVP 2021” between “UAC spend” and “GCP
2 credits”; percentage figure in column titled “GVP 2021” between “GCP credits” and “of
3 Play Spend”; percentage figure in column titled “GVP 2021” between “Play Spend” and
4 “retirable against”; text in column titled “GVP 2021” between “Comarketing” and
5 “YouTube Presence”; text in column titled “GVP 2021” between “Grants” and “esports”;
6 text in column titled “GVP 2021” between “sponsorships” and “Consultative”; text in
7 column titled “GVP 2021” between “Consultative” and “Public support for”; text in
8 column titled “GVP 2021” between “Public support for Play Partnership” and “of
9 respective Play”; text in column titled “GVP 2021” between “spend (except” and “for all
10 incentives”; text in column titled “GVP 2021” between “incentives except” and
11 “renewed”; text in column titled “GVP 2021” between “ROI eval” and end of column).
12 This text contains confidential, non-public information regarding Google’s agreements with
13 non-party developers, including financial calculations of specific dollar amounts associated with
14 particular aspects of those deals. Disclosure of this non-public information is likely to result in
15 competitive harm to Google, as it reveals strategic decision-making which, for example, could
16 give a competitor or potential business partner unfair leverage in competing against or
17 negotiating with Google. Moreover, Google’s competitors could use this non-party information
18 to unfairly target Google’s developer partners and offer specific deal terms designed to undercut
19 those offered by Google.

20 146. **Exhibit 11, Bates -920 (between “Appendix J” and “target”); between**
21 **“representing” and “of Play spend”; between “users via” and “on Play”; all numbers in**
22 **the bar chart titled “2020 Play A&G Spend”; percentage figure before “of titles”; between**
23 **“of titles” and “247”; all developer names and logos, except Riot Games, Activision**
24 **Blizzard and Supercell; developer name before “is signing up to”).** This text contains
25 confidential, non-public information regarding Google’s agreements with non-party developers,
26 including financial calculations of consumer spend generated by those developers. Disclosure
27 of this non-public information is likely to result in competitive harm to Google, as it reveals
28

1 strategic decision-making which, for example, could give a competitor or potential business
2 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's
3 competitors could use this non-party information to unfairly target Google's developer partners
4 and offer specific deal terms designed to undercut those offered by Google.

5 **147. Exhibit 11, Bates -921 (all developer logos and names, except for Riot Games,
6 Activision Blizzard, and Supercell).** This text contains confidential, non-public information
7 regarding Google's agreements with non-party developers, including the identities of specific
8 developers with whom Google entered agreements. Disclosure of this non-public information is
9 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
10 example, could give a competitor or potential business partner unfair leverage in competing
11 against or negotiating with Google. Moreover, Google's competitors could use this non-party
12 information to unfairly target Google's developer partners and offer specific deal terms designed
13 to undercut those offered by Google.

14 **148. Exhibit 11, Bates -922 (entire table, except for the names "Riot Games, Inc."
15 and "ABK").** This text contains confidential, non-public information regarding Google's
16 agreements with non-party developers, including financial calculations pertaining to those
17 agreements. Disclosure of this non-public information is likely to result in competitive harm to
18 Google, as it reveals strategic decision-making which, for example, could give a competitor or
19 potential business partner unfair leverage in competing against or negotiating with Google.
20 Moreover, Google's competitors could use this non-party information to unfairly target
21 Google's developer partners and offer specific deal terms designed to undercut those offered by
22 Google.

23 **149. Exhibit 11, Bates -923 (all percentage figures in the table titled "BC Success
24 Metrics"; all dollar amounts and percentage figures in the table titled "Other Metrics";
25 text between "ABK" and "Titles"; between "COD" and "Titles"; between "Titles: 3" and
26 "Titles:"; between "Not closed" and "TOTAL"; between "TOTAL" and "Incremental";
27 between "Incremental" and "Cloud KPI"; between "total" and "HUG BC"; between**

“total” and “and HUG new”; between “total” and “Win-rate acceleration”; between “conversion was” and “w/o HUG”; between “HUG and” and “with HUG”; between “with HUG” and “=”; between “=” and “Already signed”; between “Already signed” and “out of”; between “out of” and “developers so”; between “developers so” and “conversion”; between “conservatively at” and “through program”; between “duration” and “=”; between “=” and “Marquee titles”). This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations of specific dollar amounts allocated to or generated from particular aspects of those agreements. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s developer partners and offer specific deal terms designed to undercut those offered by Google.

150. Exhibit 11, Bates -924 (text in slide title after “Appendix O:”; between “discussion on x-platform gaming” and end of sentence; between “GVP & launched” and “titles”; between “dev sentiment” and “enabled Play”; between “launch for” and “Play’s”; text before “up-leveled Play”; between “up-leveled Play -” and “partnership”; between “Strengthened” and “partnership”; between “EAPs” and “first in KR”; between “adopt” and “successful pilot”; between “cadence w/” and “leadership”; between “results from” and “in”; between “in” and “Spend till”; between “date” and “from”; between “from” and “Created incremental”; between “users” and “titles launched”). This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations of specific dollar amounts related to particular aspects of those agreements. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information

1 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
2 those offered by Google.

3 **151. Exhibit 11, Bates -925 (all developer names and percentage figures in table;**
4 **text between "GVP with" and "due to"; text before "titled are published"; between "3rd**
5 **party developers" and "for"; between "for" and "due to which"; between "invest behind"**
6 **and "high").** This text contains confidential, non-public information regarding non-party
7 developers, and implicates the non-party's confidentiality interests, by revealing the identity of
8 Google business partners who are not party to this litigation, and who have a reasonable
9 expectation that Google will maintain the confidentiality of contractual terms and its own
10 confidential statements made during negotiations. Further, disclosure of this non-public
11 information is likely to result in competitive harm to Google, as it reveals strategic decision-
12 making, which, for example, could give a competitor or potential business partner unfair
13 leverage in competing against or negotiating with Google. Moreover, Google's competitors
14 could use this non-party information to unfairly target Google's developer partners.

15 **152. Exhibit 11, Bates -926 (percentage figure between "Actual" and**
16 **"Incrementality"; percentage figure below "Low SVA Adoption"; number before**
17 **"developers receiving UAC"; between "Hug with" and "in credits"; between "budget of"**
18 **and "of total GVP"; between "uplift of" and "increase in"; between "an average" and**
19 **"across most"; between "credits delivered" and "with the implied"; between "uplift**
20 **being" and "the original BC"; between "but overall" and "driven by"; between "Adopt"**
21 **and "model"; between "release structure" and "2021: Build new"; between "equivalent**
22 **to" and "of released"; between "assumption =" and "uplift"; between "uplift" and "of";**
23 **between "of" and "vs actual"; between "uplift of" and "Latest").** This text contains
24 confidential, non-public information regarding Google's agreements with non-party developers,
25 including specific calculations of the financial impacts of those agreements. Disclosure of this
26 non-public information is likely to result in competitive harm to Google, as it reveals strategic
27 decision-making which, for example, could give a competitor or potential business partner

1 unfair leverage in competing against or negotiating with Google. Moreover, Google's
2 competitors could use this non-party information to unfairly target Google's developer partners
3 and offer specific deal terms designed to undercut those offered by Google.

4 **153. Exhibit 11, Bates -927 (between "Ads ROI is" and "while overall"; between**
5 **"ROI remains" and "Through incrementality"; between "BC expectations" and "Ads**
6 **ROI"; between "Only" and "of Ad credits"; between "leaving" and "on the table";**
7 **between "negotiation duration" and "leaving devs"; between "leaving devs" and "to**
8 **fulfil"; between "slated to end" and "High credit caps"; between "low ad spenders" and**
9 **"resulting in"; between "resulting in" and "redemption"; between "redemption" and "of**
10 **credits"; between "redeemed by" and "rest of partners"; between "range from" and**
11 **"redemption"; between "back from" and "to"; between "to" and "Limit customers";**
12 **between "GVP" and "secure budget"; between "Standard" and "deal mechanism").** This
13 text contains confidential, non-public information regarding Google's agreements with non-
14 party developers, including specific calculations of the financial impacts of those agreements.
15 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
16 reveals strategic decision-making which, for example, could give a competitor or potential
17 business partner unfair leverage in competing against or negotiating with Google. Moreover,
18 Google's competitors could use this non-party information to unfairly target Google's developer
19 partners and offer specific deal terms designed to undercut those offered by Google.

20 **154. Exhibit 11, Bates -928 (between "Developer" and "ad credit deals"; between**
21 **"completed" and "earned to"; between "earned to through" and "to ABK"; entire table;**
22 **footnote following asterisk below table).** This text contains confidential, non-public
23 information regarding Google's agreements with non-party developers, including specific
24 calculations of the financial impacts of those agreements. Disclosure of this non-public
25 information is likely to result in competitive harm to Google, as it reveals strategic decision-
26 making which, for example, could give a competitor or potential business partner unfair
27 leverage in competing against or negotiating with Google. Moreover, Google's competitors
28

1 could use this non-party information to unfairly target Google's developer partners and offer
2 specific deal terms designed to undercut those offered by Google.

3 **155. Exhibit 11, Bates -929 (between “partner engagement” and “Strong desire**
4 **to”; between “to avoid” and “given intensive”; between “in case of” and “ads finance”;**
5 **between “approvals required” and “Ads committing”; between “committing to” and “to**
6 **start”; between “securing budget for” and “at BC”; between “Evaluation of” and “to**
7 **require”; between “Should ads continue” and “commitment”; between “APAC concerns”**
8 **and “Ads to support”; between “to support” and “with BC approval”; between “email**
9 **for” and “Please let us”).** This text contains confidential, non-public information regarding
10 Google's agreements with non-party developers, including alternative deal terms contemplated
11 and/or offered by Google. Disclosure of this non-public information is likely to result in
12 competitive harm to Google, as it reveals strategic decision-making which, for example, could
13 give a competitor or potential business partner unfair leverage in competing against or
14 negotiating with Google. Moreover, Google's competitors could use this non-party information
15 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
16 those offered by Google.

17 **156. Exhibit 11, Bates -930 (dollar amount between “Actual” and “Incremental”;**
18 **percentage figures between “ARR acceleration” and “(by”; between “Key Highlights” and**
19 **“developers receiving”; between “deals with” and “of the”; between “of the” and**
20 **“developers collectively”; all text below slide listing developers, dollar amounts and start**
21 **dates).** This text contains confidential, non-public information regarding Google's agreements
22 with non-party developers, including financial calculations of the dollar amounts associated
23 with particular aspects of those agreements. Disclosure of this non-public information is likely
24 to result in competitive harm to Google, as it reveals strategic decision-making which, for
25 example, could give a competitor or potential business partner unfair leverage in competing
26 against or negotiating with Google. Moreover, Google's competitors could use this non-party

1 information to unfairly target Google's developer partners and offer specific deal terms designed
2 to undercut those offered by Google.

3 **157. Exhibit 11, Bates -931 (between “Developer Status” and “contracts signed”;
4 names of all developers listed below the heading “H1'20 Signers”; names of all developers,
5 except Riot Games and Activision Blizzard, listed below the heading “H2'20 Signers”; text
6 between “for GCP credits” and “titles developers”).** This text contains confidential, non-
7 public information regarding Google's agreements with non-party developers. Disclosure of
8 this non-public information is likely to result in competitive harm to Google, as it reveals
9 strategic decision-making which, for example, could give a competitor or potential business
10 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's
11 competitors could use this non-party information to unfairly target Google's developer partners
12 and offer specific deal terms designed to undercut those offered by Google.

13 **158. Exhibit 11, Bates -932 (between “commit with ABK” and “Riot”; between
14 “+\$20M incremental” and “Negotiating”; between “Negotiating” and “TOTAL”; between
15 “TOTAL” and “Incremental”; number after the word “Incremental:”).** This text contains
16 confidential, non-public information regarding Google's agreements with non-party developers,
17 including financial calculations of the dollar amounts associated with particular aspects of those
18 agreements. Disclosure of this non-public information is likely to result in competitive harm to
19 Google, as it reveals strategic decision-making which, for example, could give a competitor or
20 potential business partner unfair leverage in competing against or negotiating with Google.
21 Moreover, Google's competitors could use this non-party information to unfairly target
22 Google's developer partners and offer specific deal terms designed to undercut those offered by
23 Google.

24 **159. Exhibit 11, Bates -933 (text in leftmost green box between “Signed” and
25 “incremental GCP”; between “commits” and “customers”; between “Play investing” and
26 “in credits”; between “in credits” and “Y1 consumption”; between “(\$230M) and” and
27 “are 2 of Cloud's”; between “Cloud's largest deals” and “increased commit”; between**

“year” and “negotiating early”; between “accelerated” and “4 qtrs.”; between “Forecasting” and “incremental Cloud”; between “post-deferrals over 4 years” and “target customers”; between “revenue deferrals” and end of sentence; between “Only” and “of customers signed commits”; between “pushing remaining to” and end of sentence; between “contributed” and “of region’s GCP”; between “Largest customers” and “in NorthAm”; between “account for” and “of HUG 1.0”; between “APAC/JP” and “of customers in”; between “in EMEA” and “spent”; between “spent” and “revenue”; between “unblocked commit deals in H2'2020” and end of sentence). This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including financial calculations of the dollar amounts associated with particular aspects of those agreements. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google's developer partners and offer specific deal terms designed to undercut those offered by Google.

160. Exhibit 11, Bates -934 (between “expands customers by” and “and expected”; between “to drive” and “incr. revenue”; between “Highlights” and “customers in-scope”; between “customers included” and “are 2 of”; between “largest projected deals” and “have strong potential”; between “strong potential” and “of the customers”; between “EMEA customers” and end of sentence; entire bar chart titled “HUG 2.0 Projected Rev. Uplift”; footnote no. 1 before “ongoing legal concerns”). This text contains confidential, non-public information regarding Google’s agreements with non-party developers, including specific calculations of the financial impact associated with particular aspects of those agreements. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google.

1 Moreover, Google's competitors could use this non-party information to unfairly target
2 Google's developer partners and offer specific deal terms designed to undercut those offered by
3 Google.

4 **161. Exhibit 11, Bates -935 (all percentage figures in column titled "Projected";**
5 **all percentage figures in column titled "Actual").** This information reflects and is calculated
6 from internal, non-public Google financial data. Google spends significant resources compiling
7 and maintaining this valuable data, which is non-public, and if revealed to competitors and
8 potential business counterparties, could be used to disadvantage and cause Google competitive
9 harm by giving competitors insight into confidential Google financial information. Further, this
10 information reflects sensitive, highly confidential characterizations by Google's internal
11 business teams that, if revealed, could be referenced by potential counterparties in negotiations
12 with Google to gain an unfair advantage against Google.

13 **162. Exhibit 11, Bates -936 (entire table, except for the names of "Activision**
14 **Publishing, Inc.," "Riot Games, Inc," "Blizzard Entertainment, Inc.," and "King").** This
15 text contains confidential, non-public information regarding Google's agreements with non-
16 party developers, including specific calculations of the financial impact associated with
17 particular aspects of those agreements. Disclosure of this non-public information is likely to
18 result in competitive harm to Google, as it reveals strategic decision-making which, for
19 example, could give a competitor or potential business partner unfair leverage in competing
20 against or negotiating with Google. Moreover, Google's competitors could use this non-party
21 information to unfairly target Google's developer partners and offer specific deal terms designed
22 to undercut those offered by Google.

23 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 12 [Dkt**
24 **609-13]**
(Exhibit A9)

25 **163. Exhibit 12, Bates -102 (between "expanded from" and "We believe Deals 1";**
26 **between "did two things" and "This reduces"; between "average) from" and "saving";**
27 **between "saving" and "We also"; between "We also" and "saving"; between "saving" and**

1 “Then, we provided”; between “Samsung by giving” and “given the”; between “for
2 Samsung to” and “The Chrome and S Browser”; between “impact payments by” and “and
3 we”; between “collectively save” and “from Deal 1”; between “Samsung RSA deal” and
4 “through Deal 1”; between “along with” and “On a device-by-device”; between “election”
5 and “Samsung can also”; between “Samsung can also” and “ex-Europe”; between “In
6 Europe” and “we also get”; between “we also get” and “to promote Google services”;
7 between “deal amounts to” and “devices over”; between “over 4 years, and” and “This”;
8 between “This” and “on the install base”; between “install base represents” and “over”;
9 between “over” and “Note: Some carriers”; between “In addition to the” and “we also
10 provide”; between “we also provide” and “The”; between “The” and “is projected to be”;
11 between “is projected to be” and “and -1 share”; between “share to” and “over”; between
12 “over” and “with potential high variability”; between “we also added” and “bonus”;
13 between “originally” and “and located in Deal 3”; between “we are still” and “the prior as-
14 is deal”; between “allows Samsung to” and “Samsung will earn”; between “Samsung will
15 earn” and “to be added”; between “for every” and “additionally up to”; between
16 “additionally up to” and “The current switcher”; between “rate is at” and “but Samsung”;
17 between “but Samsung can” and “Example”; between “Example: if they” and “the per
18 device”; between “device incentives” and “for the two”; between “we will fund” and “to
19 this GTM”; between “GTM Fund over” and “We have also”; between “for Google to” and
20 “An incremental”; between “An incremental” and “has also been”; between “to support”
21 and “for their watches”; between “not to pursue” and “Play Store”; between “This saves
22 us” and “over”; between “over” and “We also did”; between “did not get” and “as had
23 originally”; between “The” and “to Samsung was also removed”; between “Within Deal 3”
24 and “which will”; between “of countries were” and end of page). This text contains
25 confidential, non-public information regarding Google’s agreements with non-party developers,
26 including financial calculations of the specific dollar amounts associated with particular aspects
27 of those deals. Disclosure of this non-public information is likely to result in competitive harm to
28

1 Google, as it reveals strategic decision-making which, for example, could give a competitor or
2 potential business partner unfair leverage in competing against or negotiating with Google.

3 Moreover, Google's competitors could use this non-party information to unfairly target Google's
4 developer partners and offer specific deal terms designed to undercut those offered by Google.

5 **164. Exhibit 12, Bates -103 (between “(all)” and “As noted above”; between “also
6 migrated the” and “from Deal 3”; between “motivate closure” and “(Please note”; between
7 “Deal 2 was” and “Combining deals”; between “the range is” and “the projected prior”;
8 between “projected prior deal” and “to”; between “to” and “in the case that”; between
9 “Updated deal size” and “(includes”; between “guidance of” and “and within”; between
10 “margin guidance of” and “Key structural”; between “Browsers” and “and Search”;
11 between “which includes” and “and Deal 3”; between “was strictly” and end of sentence;
12 between “Timing” and “for Deals 1 and 3”; between “Deals 1 and 3” and “for Deal 2”;
13 between “the prior deal was” and “was extended”; between “Samsung Browser” and
14 “Enhanced Search”; between “Enhanced tier” and “Assistant”; between “Assistant” and
15 “increased promotion”; between “for enhanced devices” and “Chrome”; between
16 “Chrome” and “SUW screens”; between “SUW screens” and “both numbers in gross”;
17 between “across” and “DEAL 2”; between “Cloud interoperability” and end of page).** This
18 text contains confidential, non-public information regarding Google's agreements with non-party
19 developers, including financial calculations of the specific dollar amounts associated with
20 particular aspects of those deals. Disclosure of this non-public information is likely to result in
21 competitive harm to Google, as it reveals strategic decision-making which, for example, could
22 give a competitor or potential business partner unfair leverage in competing against or
23 negotiating with Google. Moreover, Google's competitors could use this non-party information
24 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
25 those offered by Google.

26 **165. Exhibit 12, Bates -104 (between “devices” and “-1”; between “-1” and
27 “Google will be”; between “Google will be” and “and user will”; between “able to” and “+1**

1 action away”; between “triggered by” and “Note: we provide”; between “an additional”
2 and “of payment”; between “three items” and “Deal 3”; between “Public commitment for”
3 and “and”; between “and” and “for devices”; between “for devices” and “Note:”; between
4 “trickle down to” and “at a cadence”; between “Samsung to implement” and “for a total”;
5 between “for a total of” and end of sentence; between “and have voice” and “strategy for”;
6 between “strategy for” and “to increase share”; between “GTM support for” and “and
7 also”; between “product asks” and “What did”; between “from the prior agreement” and
8 “Project economics”; between “re-signed ‘as is’ for” and “New deal”; between “New deal
9 =” and “than projected”; between “D3=” and “Install base payments”; between “Install
10 base payments” and “except”; between “New device payments” and “New service
11 payments”; between “Messages” and “Projected deal margins”; between “deal margins of”
12 and “over”; between “over” and “incremental revenue”; between “approved guidance of”
13 and “GTM Fund”; between “from deal 3” and “includes”; between “includes” and “D2
14 signing bonus”; between “bonus and” and “for Wear”; between “deal margin” and “within
15 BC approved”; between “approved guidance of” and end of page). This text contains
16 confidential, non-public information regarding Google’s agreements with non-party developers,
17 including financial calculations of the specific dollar amounts associated with particular aspects
18 of those deals. Disclosure of this non-public information is likely to result in competitive harm to
19 Google, as it reveals strategic decision-making which, for example, could give a competitor or
20 potential business partner unfair leverage in competing against or negotiating with Google.
21 Moreover, Google’s competitors could use this non-party information to unfairly target Google’s
22 developer partners and offer specific deal terms designed to undercut those offered by Google.

23 166. Exhibit 12, Bates -105 (between “HC costs” and “which includes”; between
24 “includes up to” and “Relative to prior”; between “Samsung are potentially” and “for the
25 prior”; between “Updated deal size of” and “is within”; between “BC-approved guidance
26 of” and “and within”; between “margin guidance of” and “for D1”; between “and” and
27 “for D3”; between “Install base” and “of gross”; between “of gross” and “New devices”;

1 between “New devices”; and “weighted average”; between “savings comes from” and “of
2 revenue”; between “of which” and “comes from GSA”; between “a net effective” and
3 “Giving opportunity”; between “telecom operator IDs” and “Deviations”; between “Did
4 not get” and “Other items”; between “notifications to be handled” and “Samsung”;
5 between “Did not get” and “Adjustments to payments”; between “payment to Samsung”
6 and “Play revenue share”; between “Play revenue share” and “in Play revenue share”;
7 between “in Play revenue share” and “Monthly payments”; between “Removed” and “in
8 payments removed”; between “in payments removed” and “Signing bonus”; between
9 “Signing bonus” and “to close D2”; between “to close D2” and “for D3”; between “for D3”
10 and “Business Messaging”; between “revenue share from” and “TBD”; between “TBD
11 and” and “Funding for D3”; between “D3 GTM Fund” and “to GTM fund”; between
12 “fund via” and “assumption”; between “assumption, while” and “Reinvestment”; between
13 “Went” and “for install base”; between “add-in to reinvest” and “Discover”; between
14 “Paying” and “Discover Play”; between “Play ads” and “which we”; between “TBD and”
15 and “e.g. carrier-ranged”; between “distributed) projected impact” and end of page.) This
16 text contains confidential, non-public information regarding Google’s agreements with non-party
17 developers, including financial calculations of the specific dollar amounts associated with
18 particular aspects of those deals. Disclosure of this non-public information is likely to result in
19 competitive harm to Google, as it reveals strategic decision-making which, for example, could
20 give a competitor or potential business partner unfair leverage in competing against or
21 negotiating with Google. Moreover, Google’s competitors could use this non-party information
22 to unfairly target Google’s developer partners and offer specific deal terms designed to undercut
23 those offered by Google.

24 **Plaintiffs’ Proposed Remedy Re Google’s Destruction of Chat Evidence – Exhibit 13**
25 **[Dkt 609-14]**
(Exhibit A10)

26 **167. Exhibit 13, Bates -173 (between “chatted with t” and “about the doc”).** This
27 text contains the identities of current or former Google employees. Disclosure of these names
28

1 and email addresses is of limited value to the public—as their identities are not relevant to the
2 disposition of this case. The public is still able to view the substantive portions of the document,
3 while individuals’ reputations and identities are protected. Thus, even with narrow redactions of
4 these individuals’ names, the public can readily understand the import of Exhibit 13 and its
5 interest in disclosure of Exhibit 13 in its entirety is limited and outweighed by the compelling
6 reasons for sealing.

7 **168. Exhibit 13, Bates -174 (between “Schumacher, 2021-01-08 09: 57: 07 t” and**
8 **“didn’t”**). This text contains the identities of current or former Google employees.
9 Disclosure of these names and email addresses is of limited value to the public—as their
10 identities are not relevant to the disposition of this case. The public is still able to view the
11 substantive portions of the document, while individuals’ reputations and identities are protected.
12 Thus, even with narrow redactions of these individuals’ names, the public can readily understand
13 the import of Exhibit 13 and its interest in disclosure of Exhibit 13 in its entirety is limited and
14 outweighed by the compelling reasons for sealing.

15 **Plaintiffs’ Proposed Remedy Re Google’s Destruction of Chat Evidence – Exhibit 14**
16 **[Dkt 609-15]**
(Exhibit A11)

17 **169. Exhibit 14 (Names of chat participants, except for first initials)**. This text
18 contains the identities of current Google employees. Disclosure of these names and email
19 addresses is of limited value to the public—as their identities are not relevant to the disposition
20 of this case. The public is still able to view the substantive portions of the document, while
21 individuals’ reputations and identities are protected. Thus, even with narrow redactions of non-
22 party individuals’ names, the public can readily understand the import of Ex. 14 and its interest
23 in disclosure of Ex. 14 in its entirety is limited and outweighed by the compelling reasons for
24 sealing.

25 **170. Exhibit 14, Bates -332 (between “Play originally wanted” and “but then**
26 **settled”; between “the teams agreed on” and end of sentence; between “really burdensome**
27 **to” and end of sentence; between “mad at” and “and 2) also mad”; between “Google Ads**

1 **can” and end of sentence).** This information reveals Google’s confidential, non-public strategic
2 considerations. This information has never been disclosed publicly and the Google Play product
3 team treats it as strictly confidential. If publicly revealed, this information could influence the
4 competitive decision-making and business strategies employed by Google’s app store
5 competitors, for example by influencing how those app stores market themselves to U.S.
6 developers and how they distinguish themselves from Google Play in the eyes of U.S.
7 developers.

8 **Plaintiffs’ Proposed Remedy Re Google’s Destruction of Chat Evidence – Exhibit 15 [Dkt**
9 **609-16]**
(Exhibit A12)

10 171. **Exhibit 15, Page -690.R (between “GVP 1.0 Impact Assessment” and “GVP**
11 **1.0 x-Google Financial Assessment”).** This text contains non-public information regarding
12 Google’s confidential non-public internal strategic considerations related to creating value for
13 and attracting developers to the Google Play Store. This information has never been disclosed
14 publicly. Disclosure of this information would adversely impact Google’s current competitive
15 position by enabling Google’s competitors to mimic its confidential strategies in an effort to
16 attract developers away from Google.

17 172. **Exhibit 15, Page -694.R (text in row under “GVP 1.0 Target Developers:”**
18 **and to the left of “Drive disproportionate value to Google”; text in row to the left of**
19 **“Beacons of the ecosystem”; text in row to the left of “Expressed discontent over lack of**
20 **unified support from Google”; text in row to the left of “May forgo Play (& Android)” and**
21 **above “Full Partner List”; between “GVP targeted” and “major game”; between “e.g.”**
22 **and “of total Play”).** This text contains non-public information regarding Google’s confidential
23 non-public internal strategic considerations related to creating value for and attracting developers
24 to the Google Play Store, including the identity of specific, strategic non-party developers.
25 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
26 reveals strategic decision-making which, for example, could give a competitor or potential
27 business partner unfair leverage in competing against or negotiating with Google. Moreover,

1 Google's competitors could use this non-party information to unfairly target Google's developer
2 partners and offer specific deal terms designed to undercut those offered by Google.

3 **173. Exhibit 15, Page -695.R (between “Non Goals: Play exclusivity, drive**
4 **additional xPA integrations (eg:” and “xPA spend commitments”).** This text contains non-
5 public information regarding Google's confidential non-public internal strategic considerations
6 related to creating value for and attracting developers to the Google Play Store, including
7 discussion of potential deal terms. This information has never been disclosed publicly.
8 Disclosure of this information would adversely impact Google's current competitive position by
9 enabling Google's competitors to mimic its confidential strategies in an effort to attract
10 developers away from Google.

11 **174. Exhibit 15, Page -697.R (Under leftmost column “1) Prioritize Play”, entire**
12 **first bullet, second bullet between “of titles” and “on Play”, entire third bullet and entire**
13 **fourth bullet; under middle column “2) Boost X-PA Product Adoption”, both highlighted**
14 **dollar terms in second bullet and highlighted dollar term in third bullet; and in rightmost**
15 **column “3) Improve Sentiment”, between “to date” and “devs”).** This text reflects Google's
16 non-public, competitively sensitive and current internal information, including information as to
17 its commercial dealings, negotiations, financial terms, and strategy with respect to
18 counterparties, including the identities of certain of those counterparties. Public disclosure could
19 cause harm to Google's competitive standing by giving competitors and others insights into
20 Google's business strategies.

21 **175. Exhibit 15, Page -698.R (between “GOAL 1: Prioritize Play Users” and**
22 **“target) devs representing”; between “target) devs representing” and “of total Play spend**
23 **signed GVP,” column below “2019 Play A&G Spend”; entire contents of column below**
24 **“100% of titles simshipped (184 titles)” and “Holding Out”; in box beneath “Holding Out”;**
25 **from beginning of footer and “signing up to GVP obligations”).** This text reflects Google's
26 non-public, competitively sensitive and current internal information, including information as to
27 its commercial dealings, negotiations, financial terms, and strategy with respect to

counterparties, including the identities of certain of those counterparties. Public disclosure could cause harm to Google's competitive standing by giving competitors and others insights into Google's business strategies.

176. Exhibit 15, Page -699.R, BC Success Metrics column (between “ARR acceleration” and “2024”); between “2024) and (by 2024”); between “Win-Rate acceleration” and end of row; between “N/A” and end of row; between “UAC yoy growth rate acceleration” and end of row; between “SVA/Best Practice adoption” and end of row; between “Mobile game watchtime, as % of total gaming watchtime” and “(by 2022”); between (by 2022” and “(2020”); between “N/A” and end of row; between “upload uplift N/A” and end of row). This information reflects specific, confidential details and terms about specific programs offered by Google as well as the specific deal terms and values offered to particular partners. This information is confidential and could give other developers an advantage over Google in negotiations. Disclosure of this information could harm Google's relationship with its partners and any ongoing negotiations or dealings with them. The information also implicates non-party confidentiality interests, by revealing the identities of Google's business partners, who are not party to this litigation, and who have a reasonable expectation that Google will maintain the confidentiality of contractual terms. Public disclosure of these specific programs and deal terms could give Google's competitors and developer partners an unfair advantage over Google in negotiations. Moreover, the text reveals Google's internal strategic financial considerations underlying these non-public deals and deal terms. Public disclosure of this information is likely to result in competitive harm to Google.

177. Exhibit 15, Page -699.R, Other Metrics column (between “Spend Commits” and end of row; between “Share of Wallet” and end of row; between “ROI” and end of row). This information reflects specific, confidential details and terms about specific programs offered by Google as well as the specific deal terms and values offered to particular partners. This information is confidential and could give other developers an advantage over Google in negotiations. Disclosure of this information could harm Google's relationship with its partners

1 and any ongoing negotiations or dealings with them. The information also implicates non-party
2 confidentiality interests, by revealing the identities of Google's business partners, who are not
3 party to this litigation, and who have a reasonable expectation that Google will maintain the
4 confidentiality of contractual terms. Public disclosure of these specific programs and deal terms
5 could give Google's competitors and developer partners an unfair advantage over Google in
6 negotiations. Moreover, the text reveals Google's internal strategic financial considerations
7 underlying these non-public deals and deal terms. Public disclosure of this information is likely
8 to result in competitive harm to Google.

9 **178. Exhibit 15, Page -699.R, (between "Cloud Deals" and end of paragraph;**
10 **between "TOTAL" and "Incremental"; between "Incremental: and "M"; between "BC 5-**
11 **year total:" and "HUG BC 5-year total:" and "and HUG new projected"; between "5-year**
12 **total:" and "Win-rate acceleration:"; between "BC conversion was" and "w/o HUG and";**
13 **between "w/o HUG and" and "with HUG" and "="; between "=" and end of sentence;**
14 **between 12 out of 18 developers so" and "conversion."; between "Estimating conservatively**
15 **at" and "through program duration."; between "through program duration." and end of**
16 **line; between "9 titles include" and "migrating from"; from "migrating from" and "-**
17 **Expected to 13x spending").** This information reflects specific, confidential details and terms
18 about specific programs offered by Google as well as the specific deal terms and values offered
19 to particular partners. This information is confidential and could give other developers an
20 advantage over Google in negotiations. Disclosure of this information could harm Google's
21 relationship with its partners and any ongoing negotiations or dealings with them. The
22 information also implicates non-party confidentiality interests, by revealing the identities of
23 Google's business partners, who are not party to this litigation, and who have a reasonable
24 expectation that Google will maintain the confidentiality of contractual terms. Public disclosure
25 of these specific programs and deal terms could give Google's competitors and developer
26 partners an unfair advantage over Google in negotiations. Moreover, the text reveals Google's
27
28

1 internal strategic financial considerations underlying these non-public deals and deal terms.

2 Public disclosure of this information is likely to result in competitive harm to Google.

3 **179. Exhibit 15, Page -700.R, (between beginning of first line and “- new
4 customer”; between beginning of second line “and new title”; between beginning of third
5 line and “-Expected to 40x spending).** This text contains confidential, non-public information
6 regarding non-party developers, and implicates non-parties' confidentiality interests, by revealing
7 the identities of Google's business partners, who are not parties to this litigation, and who have a
8 reasonable expectation that Google will maintain the confidentiality of contractual terms.

9 Further, disclosure of this non-public information is likely to result in competitive harm to
10 Google as, for example, Google's competitors could use this non-party information to unfairly
11 target Google's developer partners and offer deal terms specifically designed to undercut those
12 offered by Google.

13 **180. Exhibit 15, Page -701.R (entire table below “Signed up to GVP”; entire table
14 below “Holding Out”).** This text contains confidential, non-public information regarding non-
15 party developers, and implicates non-parties' confidentiality interests, by revealing the identities
16 of Google's business partners, who are not parties to this litigation, and who have a reasonable
17 expectation that Google will maintain the confidentiality of contractual terms. Further, disclosure
18 of this non-public information is likely to result in competitive harm to Google as, for example,
19 Google's competitors could use this non-party information to unfairly target Google's developer
20 partners and offer deal terms specifically designed to undercut those offered by Google.

21 **181. Exhibit 15, Page -702.R (left column of table; between “Outside of” and
22 “singularly focused”).** This text contains confidential, non-public information regarding non-
23 party developers, and implicates non-parties' confidentiality interests, by revealing the identities
24 of Google's business partners, who are not parties to this litigation, and who have a reasonable
25 expectation that Google will maintain the confidentiality of contractual terms. Further, disclosure
26 of this non-public information is likely to result in competitive harm to Google as, for example,

1 Google's competitors could use this non-party information to unfairly target Google's developer
2 partners and offer deal terms specifically designed to undercut those offered by Google.

3 **182. Exhibit 15, Page -703.R (left column of table; between "Strategic partnership**
4 **with" and end of line).** This text contains confidential, non-public information regarding non-
5 party developers, and implicates non-parties' confidentiality interests, by revealing the identities
6 of Google's business partners, who are not parties to this litigation, and who have a reasonable
7 expectation that Google will maintain the confidentiality of contractual terms. Further, disclosure
8 of this non-public information is likely to result in competitive harm to Google as, for example,
9 Google's competitors could use this non-party information to unfairly target Google's developer
10 partners and offer deal terms specifically designed to undercut those offered by Google.

11 **183. Exhibit 15, Page -705 (between "positive contribution of" and end of line";**
12 **columns under "2019," "2020," "2021," "2022", "2019-2022"; between start of line and**
13 **"incr. rev (from large"; between "endweighted, with" and "of ABK"; between "of ABK"**
14 **and "package hitting 2020"; between "GVP at" and "reinvestment continues").** This
15 information reflects and is calculated from internal, non-public Google financial data. Google
16 spends significant resources compiling and maintaining this valuable data, which is non-public,
17 and if revealed to competitors and potential business counterparties, could be used to
18 disadvantage and cause Google competitive harm by giving competitors insight into confidential
19 Google financial information. Further, this information reflects sensitive, highly confidential
20 characterizations by Google's internal business teams that, if revealed, could be referenced by
21 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

22 **184. Exhibit 15, Page -706 (entire chart).** This information reflects and is calculated
23 from internal, non-public Google financial data. Google spends significant resources compiling
24 and maintaining this valuable data, which is non-public, and if revealed to competitors and
25 potential business counterparties, could be used to disadvantage and cause Google competitive
26 harm by giving competitors insight into confidential Google financial information. Further, this
27 information reflects sensitive, highly confidential characterizations by Google's internal business

1 teams that, if revealed, could be referenced by potential counterparties in negotiations with
2 Google to gain an unfair advantage against Google.

3 **185. Exhibit 15, Page -707 (between “even without” and “Play risk”; entire chart;**
4 **“even without” and “Play risk mitigation”; between “investments of” and “over 2019-**
5 **2024”; between “to recoup” and “of invested value”; between “invested value” and**
6 **“expected to sign incremental”; between “commits” and “and turn ROI”; between “+ve”**
7 **and “esports investment”; between “investment with” and “adversely impacted”; between**
8 **“adversely impacted” and “and program”; between “3 years for” and “UAC margin”;**
9 **between “2019, and” and “thereafter”; between “to Cloud of” and “toward Cloud credits”;**
10 **between “worth” and “by 2022”).** This information reflects and is calculated from internal,
11 non-public Google financial data. Google spends significant resources compiling and
12 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
13 business counterparties, could be used to disadvantage and cause Google competitive harm by
14 giving competitors insight into confidential Google financial information. Further, this
15 information reflects sensitive, highly confidential characterizations by Google's internal business
16 teams that, if revealed, could be referenced by potential counterparties in negotiations with
17 Google to gain an unfair advantage against Google.

18 **186. Exhibit 15, Page -710 (between “selection – An” and “for game developers”;**
19 **all text in the slide below “New to Play PC/Console Devs” and “On Play “enterprise”**
20 **Developers”; all text below slide besides “Both” and “meet the criteria”).** This text contains
21 confidential, non-public information regarding non-party developers, and implicates non-parties'
22 confidentiality interests, by revealing the identities of Google's business partners, who are not
23 parties to this litigation, and who have a reasonable expectation that Google will maintain the
24 confidentiality of contractual terms. Further, disclosure of this non-public information is likely to
25 result in competitive harm to Google as, for example, Google's competitors could use this non-
26 party information to unfairly target Google's developer partners and offer deal terms specifically
27 designed to undercut those offered by Google.

187. **Exhibit 15, Page -711 (last column for rows “Build & Test”, “Launch”, “UA”, and “Community”).** This information contains non-public information regarding Google’s confidential non-public internal strategic considerations related to creating value for and attracting developers to the Google Play Store. This information has never been disclosed publicly. Disclosure of this information would adversely impact Google’s current competitive position by enabling Google’s competitors to mimic its confidential strategies in an effort to attract developers away from Google.

188. Exhibit 15, Page -712 (all text in box beginning with “Google Gives”; all text in box beginning with “Google Gets (contractual)”). This information contains non-public information regarding Google’s confidential non-public internal strategic considerations related to creating value for and attracting developers to the Google Play Store. This information has never been disclosed publicly. Disclosure of this information would adversely impact Google’s current competitive position by enabling Google’s competitors to mimic its confidential strategies in an effort to attract developers away from Google.

189. Exhibit 15, Page -713 (between “GVP 2021” and “Play Margin”; entire table; between beginning of sentence and “ to extend commercial”; between “1.0 devs @” and “of respective”; between beginning of sentence and “to 11 new developers”; between beginning of sentence and “GVP 2.0 developers”; between beginning of sentence and “GVP 2.0 developers”; between “1 Excludes” and “who already have”; between “already getting” and “of Play spend”). This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

190. Exhibit 15, Page -715 (both figures and accompanying text; between “offered at” and “& met the following”; between “footprint;” and “incremental Google margin”; between “against investment of” and end of sentence; between “reduced rev share” and “Runway may help address”). This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Further, this information reflects sensitive, highly confidential characterizations by Google's internal business teams that, if revealed, could be referenced by potential counterparties in negotiations with Google to gain an unfair advantage against Google.

191. Exhibit 15, Page -717 (text in boxes below “Google Gives” and “Google Gets” and above “Eligibility criteria: expand”). This text contains confidential, non-public information regarding Google’s agreements with non-party developers. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s developer partners and offer specific deal terms designed to undercut those offered by Google.

192. Exhibit 15, Page -718 (all text in columns under “Runway”; “GVP”; “GVP (in conjunction w/Runway”). This information contains non-public information regarding Google’s confidential non-public internal strategic considerations related to creating value for and attracting developers to the Google Play Store. This information has never been disclosed publicly. Disclosure of this information would adversely impact Google’s current competitive position by enabling Google’s competitors to mimic its confidential strategies in an effort to attract developers away from Google.

193. **Exhibit 15, Page -719 (all text in columns under “Option 1”, “Option 2”, and “Option 3”).** This information contains non-public information regarding Google’s confidential non-public internal strategic considerations related to creating value for and attracting developers to the Google Play Store. This information has never been disclosed publicly. Disclosure of this information would adversely impact Google’s current competitive position by enabling Google’s competitors to mimic its confidential strategies in an effort to attract developers away from Google.

194. Exhibit 15, Page -722 (between “Lifetime Revenue of IP” and end of line under “GVP 1.0”; between “Lifetime Revenue of IP” and end of line under “GVP 1.0”; between “Lifetime Spend” and “OR”; between “Lifetime spend =” and “growing”; between “growing” and “OR”; between “Lifetime Spend” and “and growing”; between “and growing” and “YoY”; between “Lifetime Spend =” and “growing”; between “growing” and end of the line; entire rows beginning in “# of developers”, “% of Play Spend covered”, “Google Gets”, and “Term”; between “Ad credits:” and “of eligible UAC spend”; between GCP credits” and “of Play Consumer Spend”; between “GCP credits” and “of Play Spend”; between “% investment” and “of respective Play”; between “Play consumer spend” and “of respective Play Consumer Spend”). This information contains non-public information regarding Google’s confidential non-public internal strategic considerations related to creating value for and attracting developers to the Google Play Store. This information has never been disclosed publicly. Disclosure of this information would adversely impact Google’s current competitive position by enabling Google’s competitors to mimic its confidential strategies in an effort to attract developers away from Google.

195. **Exhibit 15, Page -725 (between “cost by” and “mainly due to”; all figures in the table).** This information reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential

1 Google financial information. Further, this information reflects sensitive, highly confidential
2 characterizations by Google's internal business teams that, if revealed, could be referenced by
3 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

4 **196. Exhibit 15, Page -726 (text to the right of “Ads Credits”; text to the right of
5 “GCP Credits”; text to the right of “Comarketing”).** This information contains non-public
6 information regarding Google's confidential non-public internal strategic considerations related
7 to creating value for and attracting developers to the Google Play Store. This information has
8 never been disclosed publicly. Disclosure of this information would adversely impact Google's
9 current competitive position by enabling Google's competitors to mimic its confidential
10 strategies in an effort to attract developers away from Google.

11 **197. Exhibit 15, Page -728 (between “bundle with” and “offers the best”; four
12 developer icons below “3 month trial”; icon to the right of “Android Premium Phone or
13 Plan Purchase”; between start of bullet point and “marketing investment in ATL”;
14 between start of bullet point and “marketing investment match”).** This text contains
15 confidential, non-public information regarding non-party developers, and implicates the non-
16 party's confidentiality interests, by revealing the identity of Google business partners who are
17 not party to this litigation, and who have a reasonable expectation that Google will maintain the
18 confidentiality of contractual terms and its own confidential statements made during
19 negotiations. Further, disclosure of this non-public information is likely to result in competitive
20 harm to Google, as it reveals strategic decision-making, which, for example, could give a
21 competitor or potential business partner unfair leverage in competing against or negotiating with
22 Google. Moreover, Google's competitors could use this non-party information to unfairly target
23 Google's developer partners.

24 **198. Exhibit 15, Page -729 (icon to the right of “Android Premium Phone or Plan
25 Purchase”; three developer icons below “Youtube Premium Free 3 month Trial”; all text in
26 box called “Interactive sharers”; three icons to the left of “Free! 3P content offers (TBD)”;
27 between “the world of” and “interact with”).** This text contains confidential, non-public

1 information regarding non-party developers, and implicates the non-party's confidentiality
2 interests, by revealing the identity of Google business partners who are not party to this
3 litigation, and who have a reasonable expectation that Google will maintain the confidentiality of
4 contractual terms and its own confidential statements made during negotiations. Further,
5 disclosure of this non-public information is likely to result in competitive harm to Google, as it
6 reveals strategic decision-making, which, for example, could give a competitor or potential
7 business partner unfair leverage in competing against or negotiating with Google. Moreover,
8 Google's competitors could use this non-party information to unfairly target Google's developer
9 partners.

10 **199. Exhibit 15, Page -730 (between start of sentence and "year Spend commits";**
11 **second row in column named "Projected"; all information in column named "Actual";**
12 **between start of bullet point and "receiving GCP credits"; between "deals with" and "of**
13 **the top"; between "of the top" and "developers collectively"; between "to spend" and "on**
14 **IT in 2021"; all text below slide).** This text contains confidential, non-public information
15 regarding non-party developers, and implicates the non-party's confidentiality interests, by
16 revealing the identity of Google business partners who are not party to this litigation, and who
17 have a reasonable expectation that Google will maintain the confidentiality of contractual terms
18 and its own confidential statements made during negotiations. This information also contains
19 non-public information regarding Google's confidential non-public internal strategic
20 considerations related to creating value for and attracting developers to the Google Play Store.
21 Further, disclosure of this non-public information is likely to result in competitive harm to
22 Google, as it reveals strategic decision-making, which, for example, could give a competitor or
23 potential business partner unfair leverage in competing against or negotiating with Google.
24 Moreover, Google's competitors could use this non-party information to unfairly target Google's
25 developer partners.

26 **200. Exhibit 15, Page -731 (all text following "incremental attributable to Hug").**

27 This text contains confidential, non-public information regarding non-party developers, and

1 implicates the non-party's confidentiality interests, by revealing the identity of Google business
2 partners who are not party to this litigation, and who have a reasonable expectation that Google
3 will maintain the confidentiality of contractual terms and its own confidential statements made
4 during negotiations. This information also contains non-public information regarding Google's
5 confidential non-public internal strategic considerations related to creating value for and
6 attracting developers to the Google Play Store. Further, disclosure of this non-public information
7 is likely to result in competitive harm to Google, as it reveals strategic decision-making, which,
8 for example, could give a competitor or potential business partner unfair leverage in competing
9 against or negotiating with Google. Moreover, Google's competitors could use this non-party
10 information to unfairly target Google's developer partners.

11 **201. Exhibit 15, Page -732 (entire chart; between start of bullet point and**
12 **"developers expected to deliver"; between "to deliver" and "in IT spend in 2021"; between**
13 **"a deal with" and "developers"; between " GCP (up to" and "due to"; between "reside on**
14 **GCP" and "uplift from standard"; between "discounts," and "uplift from HUG").** This
15 text contains confidential, non-public information regarding non-party developers, and
16 implicates the non-party's confidentiality interests, by revealing the identity of Google business
17 partners who are not party to this litigation, and who have a reasonable expectation that Google
18 will maintain the confidentiality of contractual terms and its own confidential statements made
19 during negotiations. This information also contains non-public information regarding Google's
20 confidential non-public internal strategic considerations related to creating value for and
21 attracting developers to the Google Play Store. Further, disclosure of this non-public information
22 is likely to result in competitive harm to Google, as it reveals strategic decision-making, which,
23 for example, could give a competitor or potential business partner unfair leverage in competing
24 against or negotiating with Google. Moreover, Google's competitors could use this non-party
25 information to unfairly target Google's developer partners.

26 **202. Exhibit 15, Page -733 (all information in column beginning with "Actual").**

27 This information contains non-public information regarding Google's confidential non-public

1 internal strategic considerations related to creating value for and attracting developers to the
2 Google Play Store. This information has never been disclosed publicly. Disclosure of this
3 information would adversely impact Google's current competitive position by enabling Google's
4 competitors to mimic its confidential strategies in an effort to attract developers away from
5 Google.

6 **203. Exhibit 15, Page -734 (all information in column beginning with “Actual”;
7 between start of bullet point and “receiving UAC credits as”; between “Hug with” and “in
8 credits received”; between “revenue uplift of” and “(which exceeds BC”; between
9 “negative ROI of” and “through exceeded BC”; between “was equivalent to” and “of
10 released credits”; between “of released credits” and “actual uplift range”; between “range
11 of” and “based on analysis”).** This information contains non-public information regarding
12 Google's confidential non-public internal strategic considerations related to creating value for
13 and attracting developers to the Google Play Store. This information has never been disclosed
14 publicly. Disclosure of this information would adversely impact Google's current competitive
15 position by enabling Google's competitors to mimic its confidential strategies in an effort to
16 attract developers away from Google.

17 **204. Exhibit 15, Page -735 (between “post-Hug indicates” and “(mainly”; between
18 “(mainly” and end of line; between “continue to see an” and “across most clients”; between
19 “indicates aggregate” and “which exceeds BC”; entire table; between “incrementality
20 study” and “is attributable to Hug”; between “with the remaining” and “due to other
21 factors”; between “Note:” and “has been removed”; between “removed from all” and
22 “metrics, as they”; between “(new” and “deal effective”; between “Apr-20)” and “Hug
23 treatment period is 12”; between “whereas” and “treatment period is only 3”; between
24 “Consolidated” and “accounts for”; between “accounts for” and “of credits earned”;
25 between “earned, and” and “of total uplift”).** This text contains confidential, non-public
26 information regarding non-party developers, and implicates the non-party's confidentiality
27 interests, by revealing the identity of Google business partners who are not party to this

1 litigation, and who have a reasonable expectation that Google will maintain the confidentiality of
2 contractual terms and its own confidential statements made during negotiations. This information
3 also contains non-public information regarding Google's confidential non-public internal
4 strategic considerations related to creating value for and attracting developers to the Google Play
5 Store. Further, disclosure of this non-public information is likely to result in competitive harm to
6 Google, as it reveals strategic decision-making, which, for example, could give a competitor or
7 potential business partner unfair leverage in competing against or negotiating with Google.
8 Moreover, Google's competitors could use this non-party information to unfairly target Google's
9 developer partners.

10 **205. Exhibit 15, Page -736 (between "increased from" and "based on the**
11 **refreshed"; entire tables; between "Jun-20 was" and "of total UAC spend"; between "Hug**
12 **was" and "on QS-only).** This information reflects and is calculated from internal, non-public
13 Google financial data. Google spends significant resources compiling and maintaining this
14 valuable data, which is non-public, and if revealed to competitors and potential business
15 counterparties, could be used to disadvantage and cause Google competitive harm by giving
16 competitors insight into confidential Google financial information. Further, this information
17 reflects sensitive, highly confidential characterizations by Google's internal business teams that,
18 if revealed, could be referenced by potential counterparties in negotiations with Google to gain
19 an unfair advantage against Google.

20 **206. Exhibit 15, Page -737 (entire table; between "deals live;" and "earned to**
21 **date"; between "earned to date" and end of sentence"; between "New" and "deal went**
22 **live"; between "4/1/20. All" and "revenue from"; between "revenue from" and "included**
23 **in"; between "included in the" and "line, as they have"; between "Nov-19" and "is active 8**
24 **months"; between "Note:" and "has been removed"; between "removed from all" and**
25 **"metrics, as they"; between "(new" and "deal effective"; between "Apr-20)" and "Hug**
26 **treatment period is 12"; between "whereas" and "treatment period is only 3").** This
27 information reflects and is calculated from internal, non-public Google financial data. Google
28

1 spends significant resources compiling and maintaining this valuable data, which is non-public,
2 and if revealed to competitors and potential business counterparties, could be used to
3 disadvantage and cause Google competitive harm by giving competitors insight into confidential
4 Google financial information. Further, this information reflects sensitive, highly confidential
5 characterizations by Google's internal business teams that, if revealed, could be referenced by
6 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

7 **207. Exhibit 15, Page -738 (all text following “major game developers”).** This text
8 contains confidential, non-public information regarding non-party developers, and implicates the
9 non-party's confidentiality interests, by revealing the identity of Google business partners who
10 are not party to this litigation, and who have a reasonable expectation that Google will maintain
11 the confidentiality of contractual terms and its own confidential statements made during
12 negotiations. Further, disclosure of this non-public information is likely to result in competitive
13 harm to Google, as it reveals strategic decision-making, which, for example, could give a
14 competitor or potential business partner unfair leverage in competing against or negotiating with
15 Google. Moreover, Google's competitors could use this non-party information to unfairly target
16 Google's developer partners.

17 **208. Exhibit 15, Page -739 (all icons below “Signed up to Hug – Contract
18 Executed”, all icons below “various stages of redlining”, all icons below “holding out”).**
19 This text contains confidential, non-public information regarding non-party developers, and
20 implicates the non-party's confidentiality interests, by revealing the identity of Google business
21 partners who are not party to this litigation, and who have a reasonable expectation that Google
22 will maintain the confidentiality of contractual terms and its own confidential statements made
23 during negotiations. Further, disclosure of this non-public information is likely to result in
24 competitive harm to Google, as it reveals strategic decision-making, which, for example, could
25 give a competitor or potential business partner unfair leverage in competing against or
26 negotiating with Google. Moreover, Google's competitors could use this non-party information
27 to unfairly target Google's developer partners.

1 209. **Exhibit 15, Page -740 (between “efforts on Play” and “launched on Play,”**
2 **between “Other devs (e.g.” and “who previously”; between “cautious developers like” and**
3 **“partnered on Play’s PC”).** This text contains confidential, non-public information regarding
4 non-party developers, and implicates the non-party’s confidentiality interests, by revealing the
5 identity of Google business partners who are not party to this litigation, and who have a
6 reasonable expectation that Google will maintain the confidentiality of contractual terms and its
7 own confidential statements made during negotiations. Further, disclosure of this non-public
8 information is likely to result in competitive harm to Google, as it reveals strategic decision-
9 making, which, for example, could give a competitor or potential business partner unfair
10 leverage in competing against or negotiating with Google. Moreover, Google’s competitors
11 could use this non-party information to unfairly target Google’s developer partners.

12 210. **Exhibit 15, Page -741 (all text in all boxes).** This information contains non-
13 public information regarding Google’s confidential non-public internal strategic considerations
14 related to creating value for and attracting developers to the Google Play Store. This information
15 has never been disclosed publicly. Disclosure of this information would adversely impact
16 Google’s current competitive position by enabling Google’s competitors to mimic its
17 confidential strategies in an effort to attract developers away from Google.

18 211. **Exhibit 15, Page -743 (all text in rows beginning in “Google Gets” and**
19 **“Google Gives”).** This information contains non-public information regarding Google’s
20 confidential non-public internal strategic considerations related to creating value for and
21 attracting developers to the Google Play Store. This information has never been disclosed
22 publicly. Disclosure of this information would adversely impact Google’s current competitive
23 position by enabling Google’s competitors to mimic its confidential strategies in an effort to
24 attract developers away from Google.

25 212. **Exhibit 15, Page -744 (between “DevRel Consultants” and end of column;**
26 **between “YT Influencers” and end of column; between “UAC credits” and end of column;**
27 **between “YT channel growth” and end of column).** This information contains non-public

1 information regarding Google's confidential non-public internal strategic considerations related
2 to creating value for and attracting developers to the Google Play Store. This information has
3 never been disclosed publicly. Disclosure of this information would adversely impact Google's
4 current competitive position by enabling Google's competitors to mimic its confidential
5 strategies in an effort to attract developers away from Google.

6 **213. Exhibit 15, Page -745 (all text in rows beginning with “Eligibility criteria”,**
7 **“Google Gives”, “Google Gets”, and “Play % reinvested”).** This information contains non-
8 public information regarding Google's confidential non-public internal strategic considerations
9 related to creating value for and attracting developers to the Google Play Store. This information
10 has never been disclosed publicly. Disclosure of this information would adversely impact
11 Google's current competitive position by enabling Google's competitors to mimic its
12 confidential strategies in an effort to attract developers away from Google.

13 **214. Exhibit 15, Page -746 (entire chart; between “even without” and “Play risk**
14 **mitigation”; between “outsized” and “investments diluted”; between “Program is ROI**
15 **positive even without” and “Play risk mitigation”; between “investments of” and “(over**
16 **2019”; between “to recoupe” and “of value”; between “reflected in ROI” and “expected to**
17 **sign”; between “GCP commits” and “and turn”; between “and turn” and “esports**
18 **investment”; between “investment with” and “adversely impacted”; between “adversely**
19 **impacted” and “and program”; between “for most devs” and “of UAC margin” between**
20 **“2019, and” and “thereafter”).** This text contains confidential, non-public information
21 regarding non-party developers, and implicates the non-party's confidentiality interests, by
22 revealing the identity of Google business partners who are not party to this litigation, and who
23 have a reasonable expectation that Google will maintain the confidentiality of contractual terms
24 and its own confidential statements made during negotiations. Further, disclosure of this non-
25 public information is likely to result in competitive harm to Google, as it reveals strategic
26 decision-making, which, for example, could give a competitor or potential business partner

1 unfair leverage in competing against or negotiating with Google. Moreover, Google's
2 competitors could use this non-party information to unfairly target Google's developer partners.

3 **215. Exhibit 15, Page -749 (between "have signed up" and "target devs").** This
4 information contains non-public information regarding Google's confidential non-public internal
5 strategic considerations related to creating value for and attracting developers to the Google Play
6 Store. This information has never been disclosed publicly. Disclosure of this information would
7 adversely impact Google's current competitive position by enabling Google's competitors to
8 mimic its confidential strategies in an effort to attract developers away from Google.

9 **216. Exhibit 15, Page -753 (columns below "Deal structure option 1", "Deal**
10 **structure option 2" and "Deal structure option 3").** This information contains non-public
11 information regarding Google's confidential non-public internal strategic considerations related
12 to creating value for and attracting developers to the Google Play Store. This information has
13 never been disclosed publicly. Disclosure of this information would adversely impact Google's
14 current competitive position by enabling Google's competitors to mimic its confidential
15 strategies in an effort to attract developers away from Google.

16 **217. Exhibit 15, Page -754 (columns below "Deal structure option 1", "Deal**
17 **structure option 2" and "Deal structure option 3").** This information contains non-public
18 information regarding Google's confidential non-public internal strategic considerations related
19 to creating value for and attracting developers to the Google Play Store. This information has
20 never been disclosed publicly. Disclosure of this information would adversely impact Google's
21 current competitive position by enabling Google's competitors to mimic its confidential
22 strategies in an effort to attract developers away from Google.

23 **218. Exhibit 15, Page -757 (between "@" and "@google.com"; between "was**
24 **calculated as" and "but has been"; between "revised to" and "(breakeven"; between**
25 **"defined at" and "in credits").** This information contains non-public information regarding
26 Google's confidential non-public internal strategic considerations related to creating value for
27 and attracting developers to the Google Play Store. This information has never been disclosed

1 publicly. Disclosure of this information would adversely impact Google's current competitive
2 position by enabling Google's competitors to mimic its confidential strategies in an effort to
3 attract developers away from Google.

4 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 19**
5 [Dkt 609-18]
(Exhibit A13)

6 219. **Exhibit 19, Page 17, Line 21 (between “currently reside in” and “Q. And**
7 **where are you”).** This text contains the personal home address of an executive officer of
8 Google. Public disclosure is likely to result in a significant invasion of privacy and disruption to
9 this executive officer's personal life.

10 220. **Exhibit 19, Page 169, Line 19 (between “that up to over” and “of revenue was**
11 **at risk”).** This information reflects and is calculated from internal, non-public Google financial
12 data. Google spends significant resources compiling and maintaining this valuable data, which is
13 non-public, and if revealed to competitors and potential business counterparties, could be used to
14 disadvantage and cause Google competitive harm by giving competitors insight into confidential
15 Google financial information.

16 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 21**
17 [Dkt 609-20]
(Exhibit A14)

18 221. **Exhibit 21, Page 250, Line 7 (between “permission to send” and “in 2020”).**
19 This information reflects and is calculated from internal, non-public Google financial data and
20 non-public commercial strategy. Google spends significant resources compiling and maintaining
21 this valuable data, which is non-public, and if revealed to competitors and potential business
22 counterparties, could be used to disadvantage and cause Google competitive harm by giving
23 competitors insight into confidential Google financial information and business strategy related
24 to commercial programs. Moreover, Google's competitors could use this data to gain an unfair
25 competitive advantage against Google.

26 222. **Exhibit 21, Page 310, Lines 7-22 (between “looking at nearly” and “sorry --**
27 **it's in millions”; between “can't be right.” and “right?”; between “A. It's” and “I think**

1 **that's correct."; between "Q. Of that" and "was going to be coming from"; between "Q.**
2 **That's" and "of the projected income"; between "for, you know" and "A. That is correct";**
3 **between "Q. And" and "was estimated to come from").** This information reflects and is
4 calculated from internal, non-public Google financial data is based on financial terms of
5 Google's agreements with non-party business partners. Google spends significant resources
6 compiling and maintaining this valuable data, which is non-public, and if revealed to competitors
7 and potential business counterparties, could be used to disadvantage and cause Google
8 competitive harm by giving competitors insight into confidential Google financial information.
9 Moreover, Google's competitors could use this non-party information to unfairly target Google's
10 OEM partners and offer specific deal terms designed to beat those offered by Google.

11 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 23**
12 **[Dkt 609-22]**
(Exhibit A15)

13 **223. Exhibit 23 (Names of chat participants, except for first initials).** This text
14 contains the identities of current Google employees. Disclosure of these names and email
15 addresses is of limited value to the public—as their identities are not relevant to the disposition
16 of this case. The public is still able to view the substantive portions of the document, while
17 individuals' reputations and identities are protected. Thus, even with narrow redactions of non-
18 party individuals' names, the public can readily understand the import of Ex. 23 and its interest
19 in disclosure of Ex. 23 in its entirety is limited and outweighed by the compelling reasons for
20 sealing.

21 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 24**
22 **[Dkt 609-23]**
(Exhibit A16)

23 **224. Exhibit 24, Page -224 (between "discussion of" and "Brian is").** This text
24 contains confidential, non-public information regarding proposed terms for Google's agreements
25 with non-party developers. Disclosure of this non-public information is likely to result in
26 competitive harm to Google, as it reveals strategic decision-making which, for example, could
27 give a competitor or potential business partner unfair leverage in competing against or

1 negotiating with Google. Moreover, Google's competitors could use this non-party information
2 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
3 those offered by Google.

4 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 25**
5 **[Dkt 609-24]**
(Exhibit A17)

6 **225. Exhibit 25, Page 360, Line 7 (between "Samsung" and "over four years").**

7 This text contains confidential, non-public information regarding proposed financial terms for
8 Google's proposed agreement with a non-party OEM partner. Disclosure of this non-public
9 information is likely to result in competitive harm to Google, as it reveals strategic decision-
10 making which, for example, could give a competitor or potential business partner unfair leverage
11 in competing against or negotiating with Google. Moreover, Google's competitors could use this
12 non-party information to unfairly target Google's OEM partners and offer specific deal terms
13 designed to beat those offered by Google.

14 **226. Exhibit 25, Page 360, Line 18 (between "Samsung up to" and "for benefits").**

15 This text contains confidential, non-public information regarding proposed financial terms for
16 Google's proposed agreement with a non-party OEM partner. Disclosure of this non-public
17 information is likely to result in competitive harm to Google, as it reveals strategic decision-
18 making which, for example, could give a competitor or potential business partner unfair leverage
19 in competing against or negotiating with Google. Moreover, Google's competitors could use this
20 non-party information to unfairly target Google's OEM partners and offer specific deal terms
21 designed to beat those offered by Google.

22 **227. Exhibit 25, Page 360, Line 23-25 (from "with Samsung." to end of sentence).**

23 This text contains confidential, non-public information regarding proposed financial terms and
24 deal structure for Google's proposed agreement with a non-party OEM partner. Disclosure of
25 this non-public information is likely to result in competitive harm to Google, as it reveals
26 strategic decision-making which, for example, could give a competitor or potential business
27 partner unfair leverage in competing against or negotiating with Google. Moreover, Google's

1 competitors could use this non-party information to unfairly target Google's OEM partners and
2 offer specific deal terms designed to beat those offered by Google.

3 **228. Exhibit 25, Page 366, Line 3 (between "Google projected" and "in service
4 revenue").** This text contains confidential, non-public information regarding financial
5 projections relating to a proposed agreement between Google's and a non-party OEM partner.
6 This information reflects and is calculated from internal, non-public Google financial data.
7 Google spends significant resources compiling and maintaining this valuable data, which is non-
8 public, and if revealed to competitors and potential business counterparties, could be used to
9 disadvantage and cause Google competitive harm by giving competitors insight into confidential
10 Google financial information. Further, this information reflects sensitive, highly confidential
11 characterizations by Google's internal business teams that, if revealed, could be referenced by
12 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

13 **229. Exhibit 25, Page 366, Lines 8-9 (from "second line," to end of sentence).** This
14 text contains confidential, non-public information regarding financial projections relating to a
15 proposed agreement between Google and a non-party OEM partner, including additional product
16 detail beyond that described in Paragraph 40. This information reflects and is calculated from
17 internal, non-public Google financial data. Google spends significant resources compiling and
18 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
19 business counterparties, could be used to disadvantage and cause Google competitive harm by
20 giving competitors insight into confidential Google financial information.

21 **230. Exhibit 25, Page 366, Lines 14-15 (from "could generate" to end of sentence).**
22 This text contains confidential, non-public information regarding financial projections relating to
23 a proposed agreement between Google and a non-party OEM partner, including additional
24 product detail beyond that described in Paragraph 40. This information reflects and is calculated
25 from internal, non-public Google financial data. Google spends significant resources compiling
26 and maintaining this valuable data, which is non-public, and if revealed to competitors and

1 potential business counterparties, could be used to disadvantage and cause Google competitive
2 harm by giving competitors insight into confidential Google financial information.

3 **231. Exhibit 25, Page 366, Line 19 (between “bar chart” and “is”).** This text
4 contains confidential, non-public information regarding financial projections relating to a
5 proposed agreement between Google and a non-party OEM partner. This information reflects
6 and is calculated from internal, non-public Google financial data. Google spends significant
7 resources compiling and maintaining this valuable data, which is non-public, and if revealed to
8 competitors and potential business counterparties, could be used to disadvantage and cause
9 Google competitive harm by giving competitors insight into confidential Google financial
10 information.

11 **232. Exhibit 25, Page 367, Line 12 (from “chart that says” to end of sentence) and**
12 **Line 13 (from “You mean the” to end of sentence).** This text contains confidential, non-public
13 information regarding financial projections relating to a proposed agreement between Google
14 and a non-party OEM partner. This information reflects and is calculated from internal, non-
15 public Google financial data. Google spends significant resources compiling and maintaining this
16 valuable data, which is non-public, and if revealed to competitors and potential business
17 counterparties, could be used to disadvantage and cause Google competitive harm by giving
18 competitors insight into confidential Google financial information.

19 **233. Exhibit 25, Page 367, Line 16 (from “That bar says,” to end of sentence).** This
20 text contains confidential, non-public information regarding the characterization of financial
21 projections relating to a proposed agreement between Google and a non-party OEM partner.
22 This information reflects and is calculated from internal, non-public Google financial data.
23 Google spends significant resources compiling and maintaining this valuable data, which is non-
24 public, and if revealed to competitors and potential business counterparties, could be used to
25 disadvantage and cause Google competitive harm by giving competitors insight into confidential
26 Google financial information. Further, this information reflects sensitive, highly confidential
27
28

1 characterizations by Google's internal business teams that, if revealed, could be referenced by
2 potential counterparties in negotiations with Google to gain an unfair advantage against Google.

3 **234. Exhibit 25, Page 367, Line 20-21 (from “top that says” to end of sentence)**
4 **and Line 24-25 and (between “is that” and “under the”).** This text contains confidential, non-
5 public information regarding financial projections relating to a proposed agreement between
6 Google and a non-party OEM partner, including as related to specific Google products. This
7 information reflects and is calculated from internal, non-public Google financial data. Google
8 spends significant resources compiling and maintaining this valuable data, which is non-public,
9 and if revealed to competitors and potential business counterparties, could be used to
10 disadvantage and cause Google competitive harm by giving competitors insight into confidential
11 Google financial information.

12 **235. Exhibit 25, Page 388, Line 3 (between “between” and “and” and between**
13 **“and” and “correct”), Line 11 (between “between” and “and” and between “and” and**
14 **“over”), and Line 19 (between “projected” and “to” and between “to” and “to” and “in**
15 **revenue”).** This text contains confidential, non-public information regarding internal financial
16 projections relating to multiple agreements between Google and a non-party OEM partner. This
17 information reflects and is calculated from internal, non-public Google financial data. Google
18 spends significant resources compiling and maintaining this valuable data, which is non-public,
19 and if revealed to competitors and potential business counterparties, could be used to
20 disadvantage and cause Google competitive harm by giving competitors insight into confidential
21 Google financial information.

22 **236. Exhibit 25, Page 388, line 11 (between “over the” and “of”).** This text contains
23 confidential, non-public information regarding deal terms relating to multiple agreements
24 between Google and a non-party OEM partner. Disclosure of this non-public information is
25 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
26 example, could give a competitor or potential business partner unfair leverage in competing
27 against or negotiating with Google.

Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 26
[Dkt 609-25]
(Exhibit A18)

237. **Exhibit 26, Page 6, Lines 5-6 (from “It’s” to end of sentence).** This text contains the personal home address of an executive officer of Google. Public disclosure is likely to result in a significant invasion of privacy and disruption to this executive officer’s personal life.

238. **Exhibit 26, Page 345, Lines 10-11 (from “of that” to end of sentence”).** This text contains confidential, non-public information regarding the highly negotiated terms of Google’s agreement with a non-party business partner. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making and deal terms which, for example, could give a competitor or potential business partner unfair leverage in competing against, negotiating with Google, or negotiating with the non-party business partner. In particular, potential or existing business partners could use this data point and contractual terms to gain an unfair advantage in negotiating a commercial agreement with Google.

239. **Exhibit 26, Page 345, Line 13-19 (from “rev share has a” to end of sentence).**

This text describes specific financial aspects and terms of an agreement between Google and a business partner relating to how a specific financial term is defined and calculated in a highly negotiated agreement. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making regarding how Google structures certain deals, which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. In particular, potential or existing commercial partners could use this data point and contractual terms to gain an unfair advantage in negotiating a commercial agreement with Google.

240. **Exhibit 26, Page 345, Line 20-21 (between “Google paid” and “to Apple”).**
This text reflects the specific dollar amount paid by Google to a non-party business partner under the terms a highly negotiated commercial agreement. This information reflects and is calculated

1 from internal, non-public Google financial data and reflects the non-public terms of a highly
2 negotiated commercial agreement. Google spends significant resources compiling and
3 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
4 business counterparties, could be used to disadvantage and cause Google competitive harm by
5 giving competitors insight into confidential Google financial information. Moreover, disclosure
6 of this non-public information is likely to result in competitive harm to Google, as it reveals
7 strategic decision-making regarding how Google structures certain deals, which, for example,
8 could give a competitor or potential business partner unfair leverage in competing against or
9 negotiating with Google. In particular, potential or existing commercial partners could use this
10 data point and contractual terms to gain an unfair advantage in negotiating a commercial
11 agreement with Google.

12 **241. Exhibit 26, Page 345, Line 23-24 (between “between” and “dollars”).** This text
13 reflects the specific dollar amount paid by Google to a non-party business partner under the
14 terms a highly negotiated commercial agreement. This information reflects and is calculated
15 from internal, non-public Google financial data and reflects the non-public terms of a highly
16 negotiated commercial agreement. Google spends significant resources compiling and
17 maintaining this valuable data, which is non-public, and if revealed to competitors and potential
18 business counterparties, could be used to disadvantage and cause Google competitive harm by
19 giving competitors insight into confidential Google financial information. Moreover, disclosure
20 of this non-public information is likely to result in competitive harm to Google, as it reveals
21 strategic decision-making regarding how Google structures certain deals, which, for example,
22 could give a competitor or potential business partner unfair leverage in competing against or
23 negotiating with Google. In particular, potential or existing commercial partners could use this
24 data point and contractual terms to gain an unfair advantage in negotiating a commercial
25 agreement with Google.

26 **242. Exhibit 26, Page 346, Line 13-14 (between “agreed to” and “in 2016”), Line**
27 **16 (between “pay Apple” and “percent”), Line 25 (between “Apple” and “percent”).** This

1 text reflects specific financial terms agreed to by Google and non-party business partner pursuant
2 to a highly negotiated commercial agreement. Disclosure of this non-public information is likely
3 to result in competitive harm to Google, as it reveals strategic decision-making regarding how
4 Google structures certain deals, which, for example, could give a competitor or potential
5 business partner unfair leverage in competing against or negotiating with Google. In particular,
6 potential or existing commercial partners could use this data point and contractual terms to gain
7 an unfair advantage in negotiating a commercial agreement with Google.

8 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 27**
9 [Dkt 609-27]
(Exhibit A19)

10 243. **Exhibit 27, Page 14, Lines 13-14.** This text contains the home address of a
11 Google employee. Disclosure of this information is of limited value to the public—as their
12 locations of residence are not relevant to the disposition of this case. The public is still able to
13 view the substantive portions of the document, while the individual's personal information is
14 protected.

15 244. **Exhibit 27, Page 179, Line 11 (between “up to” and “Is”).** This text contains
16 confidential, non-public information regarding Google's agreements and related negotiations
17 with a specific developer, including specific confidential deal terms considered by Google,
18 including specific financial terms. Disclosure of this non-public information is likely to result in
19 competitive harm to Google, as it reveals strategic decision-making which, for example, could
20 give a competitor or potential business partner unfair leverage in competing against or
21 negotiating with Google. Moreover, Google's competitors could use this non-party information
22 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
23 those offered by Google.

24 245. **Exhibit 27, Page 179, Line 14 (between “that” and “would be”).** This text
25 contains confidential, non-public information regarding Google's agreements and related
26 negotiations with a specific developer, including specific confidential deal terms considered by
27 Google. Disclosure of this non-public information is likely to result in competitive harm to

1 Google, as it reveals strategic decision-making which, for example, could give a competitor or
2 potential business partner unfair leverage in competing against or negotiating with Google.
3 Moreover, Google's competitors could use this non-party information to unfairly target Google's
4 developer partners and offer specific deal terms designed to undercut those offered by Google.

5 **Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 28**
6 [Dkt 609-27]
(Exhibit A20)

7 246. **Exhibit 28, Page -340 (between “come up with is –” and end of line).** This text
8 contains confidential, non-public information regarding Google's commercial agreements and
9 related negotiations with a specific developer, including specific confidential financial deal terms
10 considered by Google. Disclosure of this non-public information is likely to result in competitive
11 harm to Google, as it reveals strategic decision-making which, for example, could give a
12 competitor or potential business partner unfair leverage in competing against or negotiating with
13 Google. Moreover, Google's competitors could use this non-party information to unfairly target
14 Google's developer partners and offer specific deal terms designed to undercut those offered by
15 Google.

16 247. **Exhibit 28, Page -341 (between “they can do” and “even if”, between “even if
they offer” and end of chat, between “can do” and “a year” and between “missed...” and
“that”).** This text contains confidential, non-public information regarding Google's commercial
17 agreements and related negotiations with a specific developer, including specific confidential
18 financial deal terms considered by Google. Disclosure of this non-public information is likely to
19 result in competitive harm to Google, as it reveals strategic decision-making which, for example,
20 could give a competitor or potential business partner unfair leverage in competing against or
21 negotiating with Google. Moreover, Google's competitors could use this non-party information
22 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
23 those offered by Google.

24 248. **Exhibit 28, Page -341 (between “haha” and “they can do”).** This text contains
25 confidential, non-public information regarding Google's commercial agreements and related

1 negotiations with a specific developer, including specific game titles and deal coverage
2 considered by Google. Disclosure of this non-public information is likely to result in competitive
3 harm to Google, as it reveals strategic decision-making which, for example, could give a
4 competitor or potential business partner unfair leverage in competing against or negotiating with
5 Google. Moreover, Google's competitors could use this non-party information to unfairly target
6 Google's developer partners and offer specific deal terms designed to undercut those offered by
7 Google.

8 **249. Exhibit 28, Page -342 (between “again... if” and “doesn’t come”, between**
9 **“come in...” and “and” between “and” and “may not”, between “they do” and “of”,**
10 **between “of” and “...though”, between “nothing like” and “:(”, between “Especially” and**
11 **end of line, between “overall, with” and end of line, between “still not” and “but not”,**
12 **between “sell internally” and end of line, and between “felt the” and “and was”).** This text
13 contains confidential, non-public information regarding specific game titles offered by a non-
14 party developer in the context of Google's commercial agreements and related negotiations with
15 that developer. This information has never been disclosed publicly and the Google Play product
16 team treats it as strictly confidential. Disclosure of this information could harm Google's
17 relationship with its partners and any ongoing negotiations or dealings with them, and is likely to
18 result in competitive harm to Google, as it reveals strategic decision-making which, for example,
19 could give a competitor or potential business partner unfair leverage in competing against or
20 negotiating with Google. Moreover, the text reveals Google's internal strategic financial
21 considerations underlying these non-public deals and deal terms. Public disclosure of this
22 information is likely to result in competitive harm to Google.

23 **250. Exhibit 28, Page -342 (between “main risk would be” and end of line).** This
24 text contains confidential, non-public information regarding Google's commercial agreements
25 and related negotiations with a specific developer, including specific game titles, deal coverage,
26 and potential reactions to the contemplated terms. This information has never been disclosed
27 publicly and the Google Play product team treats it as strictly confidential. Disclosure of this
28

1 non-public information is likely to result in competitive harm to Google, as it reveals strategic
2 decision-making which, for example, could give a competitor or potential business partner unfair
3 leverage in competing against or negotiating with Google. Moreover, Google's competitors
4 could use this non-party information to unfairly target Google's developer partners and offer
5 specific deal terms designed to undercut those offered by Google.

6 **251. Exhibit 28, Page -342 (two lines between “crunched some numbers” and “so I**
7 **think”).** This text contains confidential, non-public information regarding Google's commercial
8 agreements and related negotiations with a specific developer, including specific game titles and
9 deal coverage considered by Google. Disclosure of this non-public information is likely to result
10 in competitive harm to Google, as it reveals strategic decision-making which, for example, could
11 give a competitor or potential business partner unfair leverage in competing against or
12 negotiating with Google. The information also implicates non-party confidentiality interests, by
13 revealing the confidential engagement and spend metrics of Google's business partners, who are
14 not party to this litigation, and who have a reasonable expectation that Google will maintain the
15 confidentiality of contractual terms. Public disclosure of these specific programs and deal terms
16 could give Google's competitors and developer partners an unfair advantage over Google in
17 negotiations.

18 **252. Exhibit 28, Page -343 (between “lynchpin is” and end of line, between “it's**
19 **the” and “but”, between “give us” and end of line, between “prepping him for” and**
20 **“convo”, between “vs” and “ok”; between “add to the” and “section”, and between “think**
21 **of” and “...but”).** This text contains confidential, non-public information regarding Google's
22 commercial agreements and related negotiations with a specific developer, including specific
23 game titles and deal coverage considered by Google. Disclosure of this non-public information is
24 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
25 example, could give a competitor or potential business partner unfair leverage in competing
26 against or negotiating with Google. The information also implicates non-party confidentiality
27 interests, by revealing the confidential engagement and spend metrics of Google's business

1 partners, who are not party to this litigation, and who have a reasonable expectation that Google
2 will maintain the confidentiality of contractual terms. Public disclosure of these specific
3 programs and deal terms could give Google's competitors and developer partners an unfair
4 advantage over Google in negotiations.

5 **253. Exhibit 28, Page -344 (between “we’d first” and end of line).** This information
6 reflects specific, confidential details and terms about specific programs offered by Google as
7 well as the specific deal terms and values offered to particular partners. This information is
8 confidential and could give other developers an advantage over Google in negotiations.
9 Disclosure of this information could harm Google's relationship with its partners and any
10 ongoing negotiations or dealings with them. Public disclosure of these specific programs and
11 deal terms could give Google's competitors and developer partners an unfair advantage over
12 Google in negotiations.

13 **254. Exhibit 28, Page -344 (between “couldn’t remember” and end of line, first**
14 **word before “I think”).** This text contains confidential, non-public information regarding
15 Google's agreements with non-party developers, including specific confidential financial deal
16 terms and related negotiations. Disclosure of this non-public information is likely to result in
17 competitive harm to Google, as it reveals strategic decision-making which, for example, could
18 give a competitor or potential business partner unfair leverage in competing against or
19 negotiating with Google. Moreover, Google's competitors could use this non-party information
20 to unfairly target Google's developer partners and offer specific deal terms designed to undercut
21 those offered by Google.

22 **255. Exhibit 28, Page -345 (between “can make it” and end of line, between “can**
23 **put” and “and where”, between “end with” and “Did they”, “I’ll confirm” and “our term**
24 **sheet”, between “term sheet says” and “I believe”, between “he confirmed” and end of**
25 **line”, between “end for” and “is defn wrong”).** This text contains confidential, non-public
26 information regarding Google's agreements with non-party developers, including specific
27 confidential financial deal terms and related negotiations. Disclosure of this non-public

1 information is likely to result in competitive harm to Google, as it reveals strategic decision-
2 making which, for example, could give a competitor or potential business partner unfair leverage
3 in competing against or negotiating with Google. Moreover, Google's competitors could use this
4 non-party information to unfairly target Google's developer partners and offer specific deal terms
5 designed to undercut those offered by Google.

6 **256. Exhibit 28, Page -346 (between "I saw" and "...But", between "updated to"**
7 **and "because", between "because of" and end of line, between "about the" and end of line,**
8 **between "internal cost" and "ah", between "internal cost for" and "is close", between**
9 **"close to" and "...So", between "get the" and end of line, between "up to" and "and",**
10 **between "and the" and "over", and between "pushed for" and end of line).** This text
11 contains confidential, non-public information regarding Google's agreements with non-party
12 developers, including specific confidential financial deal terms and related negotiations.
13 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
14 reveals strategic decision-making which, for example, could give a competitor or potential
15 business partner unfair leverage in competing against or negotiating with Google. Moreover,
16 Google's competitors could use this non-party information to unfairly target Google's developer
17 partners and offer specific deal terms designed to undercut those offered by Google.

18 **257. Exhibit 28, Page -347 (between "Google of" and "and a", between "margin**
19 **of" and "Total", between "ABK is" and "we're moving", between "at either" and end of**
20 **line, between "Brian" and "and it", between "potential" and "in there", between "for" and**
21 **"do we", and last line of page).** This text contains confidential, non-public information
22 regarding Google's agreements with non-party developers, including specific confidential
23 financial deal terms and related negotiations. Disclosure of this non-public information is likely
24 to result in competitive harm to Google, as it reveals strategic decision-making which, for
25 example, could give a competitor or potential business partner unfair leverage in competing
26 against or negotiating with Google. Moreover, Google's competitors could use this non-party

1 information to unfairly target Google's developer partners and offer specific deal terms designed
2 to undercut those offered by Google.

3 **258. Exhibit 28, Page -348 (between “saying that” and “which would”, between**
4 **“agreeing to” and “I just”, between “agreeing to” and end of line, between “down the” and**
5 **“It then”, and between “getting” and end of line).** This text contains confidential, non-public
6 information regarding a non-party developer, and implicates the non-parties' confidentiality
7 interests by purporting to reveal the nonparties' confidential statements made during
8 negotiations. This text also contains specific confidential financial deal terms and related
9 negotiations. Disclosure of this non-public information is likely to result in competitive harm to
10 Google, as it reveals strategic decision-making which, for example, could give a competitor or
11 potential business partner unfair leverage in competing against or negotiating with Google.
12 Moreover, Google's competitors could use this non-party information to unfairly target Google's
13 developer partners and offer specific deal terms designed to undercut those offered by Google.

14 **259. Exhibit 28, Page -349 (between “for” and “couldn't”, between “for the” and**
15 **end of line, “if we” and end of line, between “if we” and “would remain”, between**
16 **“response on” and end of line, between “as us” and “I just”, between “agreeing to” and end**
17 **of line, between “down the” and “It then”, between “getting” and end of line, between**
18 **“know that” and “(like”, and between “above)” and “is immaterial”).** This text contains
19 confidential, non-public information regarding a non-party developer, and implicates the non-
20 parties' confidentiality interests by purporting to reveal the nonparties' confidential statements
21 made during negotiations. This text also contains specific confidential financial deal terms, game
22 title coverage contemplated by Google, and related negotiations. Disclosure of this non-public
23 information is likely to result in competitive harm to Google, as it reveals strategic decision-
24 making which, for example, could give a competitor or potential business partner unfair leverage
25 in competing against or negotiating with Google. Moreover, Google's competitors could use this
26 non-party information to unfairly target Google's developer partners and offer specific deal terms
27 designed to undercut those offered by Google.

1 260. **Exhibit 28, Page -350-51 (between “worth considering” and “etc”, between**
2 **“it’s the” and “it seems”, and between “referred to the” and end of line).** This text contains
3 confidential, non-public information regarding a non-party developer, and implicates the non-
4 parties’ confidentiality interests by purporting to reveal the nonparties’ confidential statements
5 made during negotiations. This text also contains specific confidential financial deal terms,
6 potential commitments, game title coverage contemplated by Google, and related negotiations.
7 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
8 reveals strategic decision-making which, for example, could give a competitor or potential
9 business partner unfair leverage in competing against or negotiating with Google. Moreover,
10 Google’s competitors could use this non-party information to unfairly target Google’s developer
11 partners and offer specific deal terms designed to undercut those offered by Google.

12 261. **Exhibit 28, Page -351 (between “!!” and “(to Greg’s point”, between “to be”**
13 **and end of line, between “comfortable with” and end of line, between “he said” and end of**
14 **line”, between “do the” and end of line, between “should we offer to” and end of line, and**
15 **between “you wondered” and end of line).** This text contains confidential, non-public
16 information regarding a non-party developer, and implicates the non-parties’ confidentiality
17 interests by purporting to reveal the nonparties’ confidential statements made during
18 negotiations. This text also contains specific confidential financial deal terms, potential
19 commitments, game title coverage contemplated by Google, and related negotiations. Disclosure
20 of this non-public information is likely to result in competitive harm to Google, as it reveals
21 strategic decision-making which, for example, could give a competitor or potential business
22 partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s
23 competitors could use this non-party information to unfairly target Google’s developer partners
24 and offer specific deal terms designed to undercut those offered by Google.

25 262. **Exhibit 28, Page -352 (between “base tier os” and “and”, between “stretch is”**
26 **and end of line, between “instead of” and end of line, between “gives them” and end of line,**
27 **between “propose this...” and “...so”, between “for” and “I would be”, between “can get**

1 **to” and “is still”, between “for” and “the shitty”**). This text contains confidential information
2 relating to negotiations over a commercial agreement with a non-party developer, including
3 specific confidential financial deal terms, potential commitments, game title coverage
4 contemplated by Google, and related negotiations. Disclosure of this non-public information is
5 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
6 example, could give a competitor or potential business partner unfair leverage in competing
7 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
8 information to unfairly target Google’s developer partners and offer specific deal terms designed
9 to undercut those offered by Google.

10 **263. Exhibit 28, Page -354 (between “circle on” and end of line, between “agree**
11 **to” and end of line”, between “Greg” and end of line, between “this” and “is just”, between**
12 **“agree to” and end of line, between “mention of” and “in ABK”, between “agree to” and**
13 **end of line, and between “mention of” and “in ABK”**). This text contains confidential
14 information relating to negotiations over a commercial agreement with a non-party developer,
15 including specific confidential financial deal terms, potential commitments, game title coverage
16 contemplated by Google, and related negotiations. Disclosure of this non-public information is
17 likely to result in competitive harm to Google, as it reveals strategic decision-making which, for
18 example, could give a competitor or potential business partner unfair leverage in competing
19 against or negotiating with Google. Moreover, Google’s competitors could use this non-party
20 information to unfairly target Google’s developer partners and offer specific deal terms designed
21 to undercut those offered by Google.

22 **264. Exhibit 28, Page -355-356 (between “so for” and “they would”, between “ask**
23 **for” and end of line, between “hardcore about” and end of line, between “it for” and**
24 **“without”, between “considering” and end of line, and between “sounds good,” and end of**
25 **line**). This text contains confidential information relating to negotiations over a commercial
26 agreement with a non-party developer, including specific confidential financial deal terms,
27 potential commitments, game title coverage contemplated by Google, and related negotiations.

1 Disclosure of this non-public information is likely to result in competitive harm to Google, as it
2 reveals strategic decision-making which, for example, could give a competitor or potential
3 business partner unfair leverage in competing against or negotiating with Google. Moreover,
4 Google's competitors could use this non-party information to unfairly target Google's developer
5 partners and offer specific deal terms designed to undercut those offered by Google.

6 **265. Exhibit 28, Page -357 (between “100%” and “keeping b* in this long”,**
7 **between “why not” and “im like MOVE”).** This text contains confidential information relating
8 to negotiations over a commercial agreement with a non-party developer, including Google's
9 internal characterizations of specific terms and related negotiations. Disclosure of this non-public
10 information is likely to result in competitive harm to Google, as it reveals strategic decision-
11 making which, for example, could give a competitor or potential business partner unfair leverage
12 in competing against or negotiating with Google. Moreover, Google's competitors could use this
13 non-party information to unfairly target Google's developer partners and offer specific deal terms
14 designed to undercut those offered by Google.

15 **266. Exhibit 28, Page -358 (between “just wondered” and “but I”, between “care**
16 **about...” and end of line, between “WDYT” and “I know”, and between “and” and “let me**
17 **know”).** This text contains confidential, non-public information regarding non-party developers,
18 and implicates the non-parties' confidentiality interests by purporting to reveal the nonparties'
19 confidential statements made during negotiations. It also reflects Google's assessment of the
20 developer's expected reactions to certain deal terms. Public disclosure of this non-public
21 information is likely to result in competitive harm to Google, as it reveals strategic decision-
22 making, which, for example, could give a competitor or potential business partner unfair
23 leverage in competing against or negotiating with Google. Moreover, Google's competitors
24 could use this non-party information to unfairly target Google's developer partners.

25 **267. Exhibit 28, Page -359 (between “how much did” and “make in 2022”,**
26 **between “I saw” and “in last”, between “12*” and “2022 YTD”, between “then :)” and**
27 **“isn’t that”, between “from” and “2022”, and between “YTD spend” and end of line).** This

text contains confidential information relating to negotiations over a commercial agreement with a non-party developer, including potential game title coverage contemplated by Google, and related metrics for that non-party developer calculated from Google's internal, non-public financial data. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google's competitors could use this non-party information to unfairly target Google's developer partners and offer specific deal terms designed to undercut those offered by Google.

268. **Exhibit 28, Page -361 (between “POV –” and “and” and between “they want” and end of line).** This text contains confidential, non-public information regarding non-party developers, and implicates the non-parties’ confidentiality interests by purporting to reveal the nonparties’ confidential statements made during negotiations. It also reflects Google’s assessment of the developer’s expected reactions to certain deal terms. Public disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making, which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google. Moreover, Google’s competitors could use this non-party information to unfairly target Google’s developer partners.

Plaintiffs' Proposed Remedy Re Google's Destruction of Chat Evidence – Exhibit 30
[Dkt 609-28]
(Exhibit A21)

269. Exhibit 30, Page 28, Lines 5-6 (between “direction” and end of sentence), and Line 8 (between “Is that” and end of sentence). This text contains confidential, non-public financial information and terms regarding a highly negotiated agreement between Google and a commercial business partner. This information also reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Disclosure of this non-public

information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google.

270. **Exhibit 30, Page 28, Line 10 (between “in fact” and “last year”).** This text contains confidential, non-public financial information and terms regarding a highly negotiated agreement between Google and a commercial business partner. The disclosure of this non-party’s highly confidential information would significantly harm its business; for example, competitors could leverage this information to reap an unearned competitive advantage. This information also reflects and is calculated from internal, non-public Google financial data. Google spends significant resources compiling and maintaining this valuable data, which is non-public, and if revealed to competitors and potential business counterparties, could be used to disadvantage and cause Google competitive harm by giving competitors insight into confidential Google financial information. Disclosure of this non-public information is likely to result in competitive harm to Google, as it reveals strategic decision-making which, for example, could give a competitor or potential business partner unfair leverage in competing against or negotiating with Google.

I declare under penalty of perjury that the foregoing is true and correct. Executed on the 28th day of September, 2023, in Mountain View, California.

DocuSigned by:

Christian Cramer

Christian Cramer